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Bill Bowman MSP
Convener
Delegated Powers and Law Reform Committee
Scottish Parliament
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29 May 2020

Dear Bill

SCOTTISH GOVERNMENT REPORTING ON THE CORONAVIRUS ACTS

In my letter to the Presiding Officer of 18 May setting out the Scottish Government's approach to reporting on the Coronavirus Acts, I noted the points raised in your letter to the Covid 19 Committee on the Coronavirus (Scotland) (No.2) Bill, of which I received a copy separately from you. Your Committee raised the matter of reporting on subordinate legislation made in response to the coronavirus pandemic where this is not made under powers in the Coronavirus Acts and specifically asked that the Government commit to reporting on such subordinate legislation. The Committee recommended that the Scottish Government should review and report to the Scottish Parliament on all subordinate legislation made in response to the Coronavirus emergency, as if it were made under provisions of the Scottish Coronavirus Act or the second Bill.

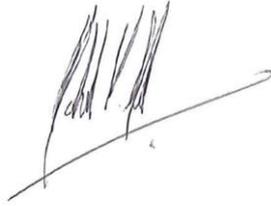
Section 14 of the Coronavirus (Scotland) (No.2) Act 2020 requires the Scottish Ministers in each reporting period to review SSIs made by them where the main purpose of them is a reason related to coronavirus. The Scottish Ministers must then report to the Scottish Parliament. The report must include certain information including the status of the SSI and a statement by the Scottish Ministers that this status is considered appropriate. This does not apply to SSIs made under either of the Scottish Coronavirus Acts or the UK Act as these SSIs are already included in the reports to the Scottish Parliament under those Acts. The reporting periods under section 14 are the same as for the other reports under the Coronavirus (Scotland) (No.2) Act 2020.

The report on the Coronavirus Acts due following the end of the second reporting period on 31 July will therefore include information on the status and appropriateness of the provisions within those instruments which fall within the scope of the new SSI reporting process.

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I hope this letter is helpful in confirming the intended approach to SSI reporting and fulfilling our commitment to ensuring that you are able to scrutinise the use of these powers in these exceptional times.

I am copying this letter to the Convener of the Covid 19 Committee.

A handwritten signature in black ink, appearing to read 'M. Russell', with a long horizontal stroke extending to the right.

MICHAEL RUSSELL

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