



The Scottish Parliament
Pàrlamaid na h-Alba

Delegated Powers and Law Reform Committee

Roseanna Cunningham MSP
Cabinet Secretary for Environment,
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By email

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Scottish Crown Estate Bill after Stage 2

Dear Roseanna

The Committee today agreed a report on the delegated powers in the Scottish Crown Estate Bill as amended at Stage 2. While the Committee appreciates the deadline for lodging amendments at Stage 3 is tomorrow at 12 noon, as you'll see from the report the Committee is recommending that regulations under section 14A should be subject to the affirmative procedure (rather than the negative). This is if they make provision for the transfer of a right or liability which relates to an asset all or part of which is situated in, or relates to, the Scottish marine area or the Scottish Zone. This would reflect the provision in section 40(1A) that regulations under section 3(1) which transfer the management of assets, if they so relate to that area or zone, are subject to the affirmative procedure. This takes into account the significance of these marine assets.

A copy of the report can be found at the following link:

<https://sp-bpr-en-prod-cdnep.azureedge.net/published/DPLR/2018/11/13/Scottish-Crown-Estate-Bill-as-amended-at-Stage-2/DPLRS052018R54.pdf>

The Committee has agreed to write to you to ask that should the Scottish Government decide not to lodge such an amendment, that you write to inform the Committee of this decision by 9 am tomorrow. This will allow Members to consider the Scottish Government's position ahead of the 12 noon deadline.

Yours,

Convener of the Delegated Powers and Law Reform Committee