Edward Mountain MSP  
Convenor  
Rural Economy and Connectivity Committee  
Scottish Parliament  
Edinburgh  
EH99 1SP

18 June 2019

EU EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT  
CAP and CMO policy 
The Common Organisation of the Markets in Agricultural Products (Market Measures 
and Notifications) (Amendment) (EU Exit) Regulations 2019  
The Common Agricultural Policy (“CAP”) and Common Organisation of the Markets 
(“CMO”) in Agricultural Products (Miscellaneous Amendments) (EU Exit) Regulations 
2019

I am writing in relation to the protocol on obtaining the approval of the Scottish Parliament to 
the exercise of powers by UK Ministers under the European Union (Withdrawal) Act 2018 in 
relation to proposals within the legislative competence of the Scottish Parliament.

As you know, the Cabinet Secretary for Government Business and Constitutional Relations, 
Michael Russell wrote to the Convenors of the Finance & Constitution and Delegated 
Powers and Legislative Reform Committees on 11 September setting out the Scottish 
Government’s views on EU withdrawal. That letter also said that we must respond to the UK 
Government’s preparations for a No-Deal scenario as best we can, despite the inevitable 
widely spread damage and disruption that would cause. It is our unwelcome responsibility to 
ensure that devolved law continues to function on and after EU withdrawal.

I attach one Notification of Intention to Consent which sets out the details of the above 
named UK SIs which the UK Government proposes to make and the reasons why I am 
content that Scottish devolved matters are to be included in these two SIs. Please note, we 
are yet to have sight of the final SIs and they are not available in the public domain at this 
stage. We will, in accordance with the protocol, advise you when the final SIs are laid and 
advise you as to whether these final SIs are in keeping with the terms of this notification.
I am copying this letter to the Convenor of the Environment, Climate Change & Land reform Committee and the Delegated Powers and Law Reform Committee.

I look forward to hearing from you within 28 days from the date of this letter.

FERGUS EWING