

Minister for Parliamentary Business and Veterans

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Dear Convener

**DISCLOSURE (SCOTLAND) BILL: SCOTTISH GOVERNMENT VIEW ON
PROTECTED SUBJECT-MATTER**

I write with regard to the Presiding Officer's statutory duty under section 31(2A) of the Scotland Act 1998 (as amended) to decide whether any provision in a Bill relates to a protected subject-matter.

The Scottish Government considers that, on introduction, the Disclosure (Scotland) Bill does **not contain** provision that relates to protected subject-matter as defined by section 31(5) of the Scotland Act 1998 (as amended).

The reason is that, under section 31(4) of the Scotland Act 1998, a provision relates to a protected subject-matter if it would modify, or confer power to modify, any of the four protected subject-matters in section 31(5). I consider that legislating for the Disclosure (Scotland) Bill does not modify any of the protected subject-matters that require super majority procedure in the Scottish Parliament.

I am copying this letter to the Lord Advocate, and to Ms Todd as the Minister in charge of the Bill.

GRAEME DEY