



T: 0300 244 4000
E: scottish.ministers@gov.scot

Edward Mountain MSP
Convener of the Rural Economy and Connectivity
Committee
Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

Kerr March 2019

Dear Edward,

THE ANIMALS (LEGISLATIVE FUNCTIONS) (EU EXIT) REGULATIONS 2019

EXIT LEGISLATION – PROTOCOL WITH SCOTTISH PARLIAMENT

The Scottish Parliament's Rural Economy and Connectivity Committee Environment and the Climate Change and Land Reform Committee recommended on 14 and 8 January 2019 respectively that The Animals and Food (Transfer of Functions) (EU Exit) Regulations 2018 include Scottish devolved matters, as set out in the notification to the Scottish Parliament dated 12 December 2018.

This Statutory Instrument (SI) was to be subject to the affirmative procedure, as reflected in the notification and was laid as such in the UK Parliament on 21 January 2019.

I can now confirm that this SI varies in some respects from the original proposal as set out in the notification but the variation is not so significant as to need any further process. Firstly, the SI's title has changed from The Animals and Food (Transfer of Functions) (EU Exit) Regulations 2018 to The Animals (Legislative Functions) (EU Exit) Regulations 2019.

In addition, amendments to Council Regulation (EC) 2160/2003 have been removed from this SI and are instead included alongside other related provision in the Zoonotic Disease Eradication and Control (Amendment) (EU Exit) Regulations 2019 (which was the subject of separate notification to the REC Committee).

Finally, a saving and transitional provision has now been inserted into this SI but this also does not constitute a change in policy.



On 19 December 2018, ahead of providing committee consent, the ECCLR Committee wrote to the Scottish Government and requested clarification on the notification, particularly in relation to the exercise of legislative functions. A link to that correspondence, encompassing my response of 7 January 2019, is attached for ease of reference:

[https://www.parliament.scot/S5 Environment/General%20Documents/ECCLR 2019.01.07 Animal Health MinisterRANE IN.pdf](https://www.parliament.scot/S5%20Environment/General%20Documents/ECCLR%202019.01.07%20Animal%20Health%20MinisterRANE%20IN.pdf)

I also attach a copy letter dated 14th March 2019, sent to the ECCLR committee for its interests in this SI which can be read alongside the above published document.

I am copying this letter to the Convener of the Delegated Powers and Law Reform Committee.



MAIRI GOUGEON