

Minister for Parliamentary Business and Veterans  
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*By email*

23<sup>rd</sup> March 2021

Dear Bill,

On 3<sup>rd</sup> March you wrote to me with a query regarding the UK Government's six-month review of the Coronavirus Act 2020 ("the UK Act").

I am sure you are now aware that the UK Government published its [Coronavirus Act one-year report: March 2021](#) on 22<sup>nd</sup> March 2021. This report on the provisions within the UK Act made clear its intentions to expire and suspend some of those provisions.

As I indicated in my letter of 9<sup>th</sup> March, the consent of the Scottish Ministers is required to expire or suspend relevant temporary provisions from a devolved perspective. I would therefore like to take this opportunity, now that the UK Government has made its intentions clear, to advise you that the Scottish Ministers have provided their consent to sections 25 to 29 being expired by UK statutory instrument. We have also consented to sections 22 and 23 being suspended by UK statutory instrument.

Sections 25 to 29 of the UK Act, which relate to food supply information, were intended as reserve powers to mitigate against the risk of industry ceasing to comply with information requests during a food supply disruption, if that became necessary. However, the provisions have not been needed, and have never been commenced.

In order to maintain a UK-wide approach to these provisions, I can confirm that the Scottish Ministers have indicated to the UK Government that we are content for sections 25 to 29 to be expired by way of UK statutory instrument.

In relation to sections 22 and 23 of the UK Act, which relate to temporary Judicial Commissioners and time limits in relation to urgent warrants etc. under the Investigatory Powers Act, respectively, the Scottish Government has been clear that our preference would be for these sections to be retained in case a change of circumstance might necessitate further regulations being made under these sections. We are of the view that would be a sensible approach to ensure a degree of flexibility is maintained.

I can confirm therefore also confirm that the Scottish Ministers have indicated to the UK Government we are content for these sections to be suspended by UK statutory instrument, in due course, in order that they can quickly be revived if circumstances in the future necessitate it.

These changes will not take effect until a UK statutory instrument is laid in Westminster after the UK Easter recess. Further details will be provided in the Scottish Government's on-going reporting on the status, operation and continuing necessity of devolved provisions in the UK Act.

I am copying this letter to the Cabinet Secretary for Rural Economy and Tourism, the Cabinet Secretary for Justice, the Cabinet Secretary for Health and Sport, the Cabinet Secretary for Constitution, Europe and External Affairs, the Convener of the Covid-19 Committee, the Convener of the Justice Committee and the Convener of the Rural Economy and Connectivity Committee.

**Graeme Dey**