

Cabinet Secretary for the Rural Economy
Fergus Ewing MSP



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

7 November 2019

Dear Edward

I am writing to inform you that the Agriculture (Retained EU Law and Data) (Scotland) Bill has been introduced in the Scottish Parliament, and was published on Thursday 7 November 2019. I expect that the REC Committee will be appointed as the lead committee for the Bill.

You will recall that, during a Parliamentary debate on 10 January 2019, I announced that the Scottish Government would bring forward a Rural Support Bill. The Agriculture (Retained EU Law and Data) (Scotland) Bill is that Bill.

As you are well aware, Scotland did not vote to leave the EU and the Scottish Government has consistently made clear that our preference would be to remain in the EU. However, as a responsible government, and given the ongoing uncertainty around Brexit, we still need to take action and be prepared for a potential post-Brexit future. I am aware that we do not yet know when or if that will happen, but having secured Parliamentary time for this Bill, I think it is prudent that we should proceed with the Bill and I hope you will agree.

The Bill is required because, when or if the UK leaves the EU, the Common Agricultural Policy (CAP) will be transferred into domestic law as retained EU law under the EU (Withdrawal) Act 2018. This means that the law that governs the CAP schemes will continue to apply in Scotland (and in the rest of the UK). However, without primary legislation, the Scottish Ministers would not be able to make any changes to retained EU law (except to the extent that some areas of CAP already provide minor flexibilities through delegated powers).

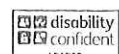
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The Agriculture (Retained EU Law and Data) (Scotland) Bill will enable the Scottish Ministers to implement the proposals we put forward in the 2018 “Stability and Simplicity” consultation including proposals for a transition period as recommended by the Agriculture Champions.

The Bill is part of the wider framework that ensures the continued operation of CAP schemes and rules for a period of stability up to around 2024 during which they will be progressively improved and simplified. The Bill will also improve the legal mechanism by which agricultural data is collected, strengthening links with the principles of GDPR and the Data Protection Act 2018 and encouraging transparency.

This is in large part a technical enabling Bill designed to give the Scottish Ministers powers to amend retained EU law in relation to the CAP. The Bill itself is not intended to make changes to existing policy.

I look forward to working with the Committee throughout the Bill’s progress.

Yours sincerely


FERGUS EWING

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