



Stuart McMillan MSP  
Convener  
Delegated Powers and Law Reform Committee

By Email: [DPLR.Committee@parliament.scot](mailto:DPLR.Committee@parliament.scot)

30 October 2023

Dear Stuart

Thank you for your letter of 3 October to the Secretary of State for Scotland regarding proposed amendments to the Scotland Act 1998 (Specification of Functions and Transfer of Property etc.) Order 2019. I am responding as the Minister responsible for Scotland Act Orders.

As you are aware, Scotland Act Orders are used to make amendments to the law, where it is considered 'necessary or expedient' to do so as a result of Scottish legislation. They follow a well-established process before being made, with each request made by the Scottish Government considered carefully and on its own merits. While these Orders are typically made by Scotland Office ministers, they will require a formalised proposal from the Scottish Government to initiate this process.

The Scottish Government submitted a policy summary to the Scotland Office on 16 October 2023. Scotland Office officials are now reviewing this summary, along with Office of the Advocate General colleagues, and will liaise with Scottish Government officials in order to agree a timeline and progress this Order.

I hope this letter helps clarify our role in this process and addresses the questions outlined in your letters.

Yours sincerely,

**JOHN LAMONT MP**  
**PARLIAMENTARY UNDER SECRETARY OF STATE FOR SCOTLAND**