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19 December 2024

## RE: Legislative Consent Memorandum for the Great British Energy Bill

Dear Edward,

I understand that my Committee appearance on the Great British Energy Bill has now been fixed for 7 January 2025. I look forward to meeting with the Committee to discuss the Bill. In advance of that meeting, I have set out some further background on our engagement with the UK Government Bill, further to my letter dated 11 December 2024.

The UK Government have published explanatory notes on the Bill [online](#) and set out that all the clauses in the Bill extend and apply to Scotland, and in part, engage the Legislative Consent process (see paragraph 10 and Annex A on page 9). The Scottish Government agrees with this assessment as set out in our [Legislative Consent Memorandum](#) (see paragraphs 5 and 6). However, as the memorandum explained, there had not been sufficient time to engage with the detail of the bill to recommend consent when that memorandum was lodged.

We have since engaged with the UK Government on the Bill, including discussions on potential amendments, as I set out in my letter dated 11 December. One specific issue concerned Clause 5, which required the UK Government to consult the Scottish Ministers (and the other devolved governments) before including in a statement of strategic priorities for Great British Energy matters within devolved legislative competence. Recognising previous Scottish Parliamentary interest in the mechanisms for scrutiny of UK Ministers exercising functions in devolved areas, the Scottish Government has been exploring potential changes to this provision. Following constructive discussions and agreement, we now expect the UK Government to lodge such an amendment. I have asked the UK Government to table the amendment as early as possible to allow its consideration by the Committee.

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Once any UK Government amendments have been formally tabled at Westminster, and subject to the normal clearances within the Scottish Government, I would hope to lodge a supplementary Legislative Consent Memorandum making a clear recommendation on legislative consent for the relevant provisions in the Bill, to support scrutiny by the Committee and the Parliament as a whole.

I look forward to appearing before the committee on Tuesday 7 January 2025.



**GILLIAN MARTIN**

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