



The Scottish Parliament
Pàrlamaid na h-Alba

Rural Affairs, Islands and Natural Environment Committee

Mairi Gougeon
Cabinet Secretary for
Rural Affairs and Islands

c/o Clerk to the Committee
The Scottish Parliament
Edinburgh
EH99 1SP

rural.committee@parliament.scot

By email only

13 October 2022

Dear Cabinet Secretary,

The Rural Support (Simplification and Improvement) (Scotland) (No.2) Regulations 2022 (SSI 2022/279)

The Committee intends to scrutinise the above negative statutory instrument at its meeting on Wednesday 9 November. In advance of its consideration, it would be helpful if you could provide further information on the following points—

- Section 2 of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020 provides the power “to simplify and improve the operation of CAP legislation”. As you’ll be aware, there was some discussion about the interpretation of this power during the passage of the bill last session and officials and Ministers emphasised that the power would only be used to provide for process and/or operational changes. Please can you set out your reasons why you consider these regulations introduce a process and/or operational change, rather than a policy change.
- The policy note states these regulations, as well as the overall current CAP and greening provisions, will “continue until 2024 or such time as they are replaced by new schemes to be introduced”. Please can you confirm why the Scottish Government seeks to legislate for this provision now, rather than as part of the replacement CAP scheme. Please can you also provide information about whether the Scottish Government anticipates this change will be continued as part of the replacement CAP scheme.
- The policy note suggests that consultation on these regulations was undertaken as part of the 2018 Stability and Simplicity consultation. The Committee notes that consultation was carried out over four years ago and did not consult on any specific policy changes but more on an overall approach to ‘stability and simplicity’ while a new policy is being developed. The Committee also notes

that NFUS has been “informally advised” of the regulations and that officials “understand” the NFUS is supportive. Please can you set out your reasons why the Scottish Government has not consulted more widely, and more specifically, on these regulations in advance of them being laid.

- Please can you confirm whether these regulations maintain alignment with EU policy.

It would be helpful if you could provide a response by Friday 28 October.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Finlay Carson', with a long horizontal flourish extending to the right.

Finlay Carson MSP

Convener

Rural Affairs, Island and Natural Environment Committee