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14 January 2020

Dear John,

Legislative Consent: European Union (Withdrawal Agreement) Bill – UK Legislation

I am writing to notify you that, on 8 January 2020, the Scottish Parliament agreed not to consent to the European Union (Withdrawal Agreement) Bill, which is currently under consideration at Westminster.

Given the Bill is of significance and interest to all parts of the UK, I am also writing today to Ed Ollard, Clerk of the House of Lords, Manon Antoniazzi, Clerk of the National Assembly for Wales and to Lesley Hogg, Clerk of the Northern Ireland Assembly, to inform them of the Scottish Parliament’s decision.

I attach the associated memorandum and extract of the relevant Minutes of Proceedings.

Yours sincerely,

DAVID McGILL  
Clerk/Chief Executive
EXTRACT OF MINUTES OF PROCEEDINGS—

MINUTES OF PROCEEDINGS

Parliamentary Year 4, No. 63, Session 5

Meeting of the Parliament

Wednesday 8 January 2020

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 1.15 pm.

4. European Union (Withdrawal Agreement) Bill: The Cabinet Secretary for Government Business and Constitutional Relations (Michael Russell) moved S5M-20318—That the Parliament notes the legislative consent memorandum on the European Union (Withdrawal Agreement) Bill lodged by the Scottish Government on 20 December 2019; further notes that people in Scotland voted remain and for remain parties, most recently at the UK General Election on 12 December 2019; considers that the Withdrawal Agreement negotiated by the UK Government would cause damage to Scotland’s environment, economic and social interests; regrets that the European Union (Withdrawal Agreement) Bill has been amended to remove important protections from workers’ rights and asylum-seeking children, and to prohibit an extension of the implementation period to negotiate the future relationship with the EU; regrets that the European Union (Withdrawal Agreement) Bill is to proceed through the UK Parliament with minimal scrutiny, failing to respect the significance of the decision to be taken by, or the role of, the Scottish Parliament in scrutinising legislation requiring its legislative consent; is determined to respect and uphold the views of the people of Scotland on this crucial issue to the future of the nation, and therefore does not support the Withdrawal Agreement and Political Declaration negotiated by the UK Government, and does not consent to the European Union (Withdrawal Agreement) Bill that would implement that agreement.

Adam Tomkins moved amendment S5M-20318.1—

As an amendment to motion S5M-20318 in the name of Michael Russell (European Union (Withdrawal Agreement) Bill), leave out from “people in Scotland” to end and insert “the legislative consent memorandum indicates that the Scottish Ministers would have recommended that the Parliament withhold consent from any legislation providing for EU exit, irrespective of its content; recalls that the decision to leave the EU was taken by a clear majority of those voting in the 2016 referendum; believes that the results of referendums should be respected and implemented, rather than ignored; welcomes that the UK will be leaving the EU later this month with a Withdrawal Agreement; recalls that all parties in the Scottish Parliament have called for such an agreement to be in place before EU exit and therefore supports the
Withdrawal Agreement, and consents to the European Union (Withdrawal Agreement) Bill, which will implement this agreement.

After debate, the amendment was disagreed to ((DT) by division: For 29, Against 92, Abstentions 0).

The motion was then agreed to ((DT) by division: For 92, Against 29, Abstentions 0).

The meeting closed at 5.51 pm.

David McGill
Clerk of the Parliament
8 January 2020