



The Scottish Parliament  
Pàrlamaid na h-Alba

Published 6 March 2019  
SP Paper 485  
4th Report 2019 (Session 5)

**Economy, Energy and Fair Work Committee**  
**Comataidh Eaconamaidh, Lùth is Obair Chothromach**

**Public Procurement etc. (Scotland)**  
**(Amendment) (EU Exit) Regulations**  
**2019 [draft]**



**Published in Scotland by the Scottish Parliamentary Corporate Body.**

---

All documents are available on the Scottish  
Parliament website at:  
[http://www.parliament.scot/abouttheparliament/  
91279.aspx](http://www.parliament.scot/abouttheparliament/91279.aspx)

For information on the Scottish Parliament contact  
Public Information on:  
Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@parliament.scot](mailto:sp.info@parliament.scot)

# Contents

<b>Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019 [draft]</b>	<b>1</b>
<b>Public Procurement etc. (Scotland) (Amendment) (EU Exit) Amendment Regulations 2019 [draft]</b>	<b>2</b>

---

# Economy, Energy and Fair Work Committee

Remit: To consider and report on economy and fair work matters falling within the responsibilities of the Cabinet Secretary for Finance, Economy and Fair Work; matters relating to the digital economy within the responsibilities of the Minister for Public Finance and Digital Economy, and matters relating to energy falling within the responsibilities of the Minister for Energy, Connectivity and the Islands.

(As agreed by resolution of Parliament on 6 September 2018)



<http://www.parliament.scot/parliamentarybusiness/CurrentCommittees/economy-committee.aspx>



[economyenergyandfairwork@parliament.scot](mailto:economyenergyandfairwork@parliament.scot)



0131 348 5403

# Committee Membership



**Convener**  
**Gordon Lindhurst**  
Scottish Conservative  
and Unionist Party



**Deputy Convener**  
**John Mason**  
Scottish National Party



**Jackie Baillie**  
Scottish Labour



**Colin Beattie**  
Scottish National Party



**Angela Constance**  
Scottish National Party



**Jamie Halcro Johnston**  
Scottish Conservative  
and Unionist Party



**Dean Lockhart**  
Scottish Conservative  
and Unionist Party



**Gordon MacDonald**  
Scottish National Party



**Andy Wightman**  
Scottish Green Party

# Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019 [draft]

1. The Committee took evidence on the [Public Procurement etc. \(Scotland\) \(Amendment\) \(EU Exit\) Regulations 2019 \[draft\]](#) from Derek Mackay, Cabinet Secretary for Finance, Economy and Fair Work at its meeting on 5 March 2019. The Official Report will be available on the [Committee's website](#).
2. This instrument is made in order to address deficiencies in retained EU law relating to public procurement which arise from the withdrawal of the United Kingdom from the EU. It will ensure that the legislation continues to operate effectively after the UK leaves the EU.
3. The Committee considered its approach to the Regulations at its meeting on 29 January 2019 and agreed to write to the Cabinet Secretary to request [additional information](#). The Cabinet Secretary Responded on [19 February 2019](#). The Committee also sought the views of stakeholders, the responses can be found [here](#).
4. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on [5 February](#) and agreed that no points arose.
5. Following evidence, the Minister for Business, Fair Work and Skills moved motion S5M-15751—

That the Economy, Energy and Fair Work Committee recommends that the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019 [draft] be approved.

6. The motion was agreed to without debate or dissent.

The Economy, Energy and Fair Work Committee recommends that the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019 [draft] be approved.

# Public Procurement etc. (Scotland) (Amendment) (EU Exit) Amendment Regulations 2019 [draft]

7. The Committee took evidence on the [Public Procurement etc. \(Scotland\) \(Amendment\) \(EU Exit\) Amendment Regulations 2019 \[draft\]](#) from Derek Mackay, Cabinet Secretary for Finance, Economy and Fair Work at its meeting on 5 March 2019. The Official Report will be available on the [Committee's website](#).
8. This instrument amends the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Regulations 2019, laid in draft on 7 February 2019. It provides an alternative 'fix' to deficiencies in retained EU legislation relating to the treatment of the UK's international obligations in the field of public procurement.
9. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on [26 February](#) and agreed that no points arose.
10. Following evidence, the Minister for Business, Fair Work and Skills moved motion S5M-15921—  
  
That the Economy, Energy and Fair Work Committee recommends that the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Amendment Regulations 2019 [draft] be approved.
11. The motion was agreed to without debate or dissent.

The Economy, Energy and Fair Work Committee recommends that the Public Procurement etc. (Scotland) (Amendment) (EU Exit) Amendment Regulations 2019 [draft] be approved.

