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Rural Economy and Connectivity Committee Comataidh Eaconomaidh Dùthchail is Co- cheangailteachd

Subordinate Legislation considered by the Rural Economy and Connectivity Committee on 19 February 2020



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Rural Economy and Connectivity Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for the Rural Economy and the matters falling within the responsibility of the Cabinet Secretary for Transport, Infrastructure and Connectivity.



<http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/rural-committee.aspx>



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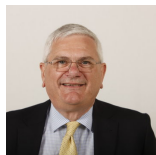
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Executive summary

1. This report details the Rural Economy and Connectivity Committee's consideration of the Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020.

The Committee agreed to recommend to the Parliament that it approves the instrument.

Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020

The Committee reports to the Parliament as follows—

2. On 19 February 2020, the Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020 (SSI 2020/18) was laid before the Parliament and was subject to the provisional affirmative resolution procedure. The provisional affirmative procedure is used to deal with emergency situations.
3. In relation to timings, the provisional affirmative procedure is relatively unusual: the instrument is already in force (it came into force on 11pm on exit day, 31 January 2020, being the same day it was laid), but it will cease to have effect at the end of the period of 28 days beginning with 31 January 2020 unless it has been approved by a resolution of the Parliament.

Purpose of the instrument

4. The Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020 make amendments to legislation which relate to the direct payments scheme for the claim year 2020 (which runs from 1 January 2020 to 31 December 2020).

Delegated Powers and Law Reform Committee consideration

5. The Delegated Powers and Law Reform (DPLR) Committee considered the instrument at its meeting on 18 February 2020 and agreed not to draw the Parliament's attention to the instrument on any grounds within its remit. The DPLR Committee's report can be found at the following link—

[**DPLR Committee report of 18 February 2020**](#)

Rural Economy and Connectivity Committee consideration

6. At its 6th meeting of 2020, held on 19 February, the Rural Economy and Connectivity Committee took evidence on this instrument from Fergus Ewing MSP, the Cabinet Secretary for the Rural Economy, and his officials.
7. The Committee raised a question on the process and timing of the SSI. The question sought assurance that the Direct Payments to Farmers (Legislative

Continuity) Act 2020 first needed to be passed first before the SSI could be laid. The Committee also sought clarification on the contact the Scottish Government had with the UK Government on this matter.

8. The Cabinet Secretary subsequently moved the following motion in his name—

S5M-20849—That the Rural Economy and Connectivity Committee recommends that the Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020 be approved.
9. The Committee agreed the motion without division.
10. The Official Report of the meeting is available at the following web page—

[REC Committee Official Report of 19 February 2020](#)

Recommendation

11. The Rural Economy and Connectivity Committee recommends to the Parliament that Direct Payments to Farmers (Legislative Continuity) (Scotland) (Miscellaneous Amendments) Regulations 2020 be approved.

