

PARLIAMENTARY BUREAU: REMIT OF THE CONSTITUTION, EUROPE, EXTERNAL AFFAIRS AND CULTURE COMMITTEE

Introduction

1. Business Managers will recall that the Presiding Officer wrote to the Constitution, Europe, External Affairs and Culture (CEEAC) Committee on its behalf to seek more information about that Committee's request to the Standards, Procedures and Public Appointments (SPPA) Committee that the temporary rule setting out its remit be extended until the end of the Session.

CEEAC Committee response

2. The CEEAC Committee has now responded, and a copy of the letter is attached. That response sets out that the extension is sought to "allow the Committee more time to consider the impact of the UK leaving the EU on a number of scrutiny procedures outlined in the Standing Orders. This includes the remit of the mandatory Europe and External Relations Committee as set out in Rule 6.8."

3. The CEEAC Committee also explains that the "review of EU related Standing Orders will require a considerable amount of work in discussion with the Scottish Government and is likely to evolve as the impact of the UK leaving the EU on how devolution works becomes clearer."

Issues for consideration

4. The Bureau is invited to note that it is not unusual for changes to committee remits to be made that last for the duration of a Session. Usually this is done using the provisions in Standing Orders for "additional matters" to be included alongside mandatory committee remits.

5. The Bureau is also asked to note that the current date of expiry for the Temporary Rule is 31 December 2021. To prevent the Temporary Rule expiring before the SPPA Committee has an opportunity to give further consideration to the request from the CEEAC Committee, including the response from the Bureau, Business Managers are invited to agree to a short-term extension of the Temporary Rule up to February recess.

Decision

6. **The Bureau is invited to consider its response to the SPPA Committee and to recommend to the Parliament an extension of Temporary Rule 4 up to 11 February 2022.**

**Parliamentary Business Team
December 2021**

**LETTER FROM CEEAC COMMITTEE TO THE PRESIDING OFFICER – 20
DECEMBER 2021**

Thank you for your letter, dated 16 December, asking for some additional information regarding our request for an extension of the temporary rule setting out our committee's remit.

As stated in my letter to the SPPA Committee, this extension would allow the Committee more time to consider the impact of the UK leaving the EU on a number of scrutiny procedures outlined in the Standing Orders. This includes the remit of the mandatory Europe and External Relations Committee as set out in Rule 6.8.

This work needs to be completed so that the remit set out in Temporary Rule 4 does not inadvertently revert to the remit in Rule 6.8 which is now moribund due to the UK no longer being an EU Member State.

The review of EU related Standing Orders will require a considerable amount of work in discussion with the Scottish Government and is likely to evolve as the impact of the UK leaving the EU on how devolution works becomes clearer.

For clarity this work does not relate to the remit set out in Temporary Rule 4 which reflects the portfolio of the Cabinet Secretary for Constitution, External Affairs and Culture. Given this allows for full scrutiny of the Scottish Government for the duration of the current session my Committee is content with the remit and will allow for continuity in our ongoing work.

Our understanding is that in previous sessions the remits of mandatory committees have been changed for the duration of the session to reflect the portfolio of the relevant cabinet secretary to enable scrutiny. Yours sincerely

Clare Adamson MSP

Convener

Constitution, Europe, External Affairs and Culture Committee