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20 October 2023

Dear Judith and Mark

The Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon) (Scotland) Regulations 2023

Further to my letter of 19 October 2023, I am writing to inform you of an urgent need to implement new, expedited arrangements in relation to the above draft regulations.

In response to the Foreign, Commonwealth and Development Office (FCDO) advice for all British nationals to leave Lebanon as soon as possible, we will need to extend our Social Security (Residence and Presence Requirements) (Israel, the West Bank, the Gaza Strip, East Jerusalem or Golan Heights) (Scotland) Regulations 2023 to also include Lebanon.

To this end, it will be necessary to withdraw these regulations and relay a revised draft which includes Lebanon in the list of areas that people may have left in connection with the Hamas terrorist attack on 7 October 2023 or the violence which rapidly escalated in the region following the attack. In order to achieve these changes by 27 October I am seeking to re-lay these revised regulations on 20 October and rely on an expedited parliamentary process with a coming into force date of 26 October.

I would like to apologise for any inconvenience to the Commission by the need to implement these urgent measures and withdraw and relay the regulations. However, I trust you will be supportive of the need to act urgently to support the immediate needs of people covered by the regulations coming to Scotland from Israel and the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon.

I understand that submitting regulations to you for scrutiny today which are to be laid before Parliament on the same day does not provide the Commission any time to undertake its duties to scrutinise and report on the draft regulations before they are laid. I am sure you will appreciate these are exceptional circumstances outwith our control due to the situation in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights and Lebanon, and that we must act quickly.

In laying the regulations and in line with the requirements of the 2018 Act I will set out why I have done so before your report has been published. I will also make clear that I will respond to your report following its publication, if one is produced, including to bring forward further provision where that is necessary to implement recommendations that we accept and to offer an explanation where we do not accept recommendations.

The statutory section 97(9)(b) statement is attached to this letter.

Thank you for your continued co-operation and support.

Yours sincerely



SHIRLEY-ANNE SOMERVILLE