



Department
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Fiona Hyslop MSP
Cabinet Secretary for Culture, Europe and External Affairs
St Andrew's House
Regent Road
Edinburgh
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CMS 265751/asg
10th June 2015

Dear Fiona,

**MEMORANDUM OF UNDERSTANDING BETWEEN SCOTTISH PARLIAMENT,
SCOTTISH GOVERNMENT, THE BBC AND UK GOVERNMENT**

May I first offer my warmest regards - I am very much looking forward to working with you and your colleagues in the Scottish Government on the broad range of issues in my portfolio. I had a productive meeting with the Deputy First Minister on Tuesday 8 June, and I also hope to meet you in person in due course.

I would like to thank you for the ongoing work between your officials and mine in respect of the Memorandum of Understanding (MoU) concerning the Smith Commission agreement on the BBC. As you know, this is a high priority for us to deliver as soon as possible, and we hope to have this process completed in advance of the Scottish Parliament's summer recess.

As such, I am writing to address one of your recommended drafting changes to the MoU, namely:

'The Department will consult the Scottish Government on the draft Charter through the process of charter drafting.'

The MoU must codify the respective terms of engagement for Charter Review, as was set out by the Smith Commission and the UK government's subsequent response to it. However, the above addition ostensibly relates to the drafting of the Charter itself, which goes beyond the Smith agreement.



Furthermore, the point in the Smith agreement on equivalence to UK parliament relates directly to the other part of the recommendations on the BBC - namely, the laying of the BBC's annual report and accounts, and appearances by the BBC in front of Scottish Parliament's committees - rather than the Charter Review. In light of this, it is my view that we should not include the phrasing 'on the same basis...' in the second paragraph of the commitments section of the MoU.

Aside from the above, however, I am happy to agree to the remaining changes you have suggested to the MoU. I hope that we can complete the process for finalising this document in prompt order, and before the Scottish Parliament rises, and I encourage your officials to continue to work productively with officials from my own department to achieve this.

Yours ever

A handwritten signature in black ink, appearing to read 'John', with a small flourish underneath.

Rt Hon John Whittingdale OBE MP

Secretary of State for Culture, Media and Sport