Written submission from Alexander Stormont

My family is involved in farming, forestry and tourism in Perthshire. These activities are all managed as departments in a modern rural business. Typically, we employ around eighty people.

The major purpose of the business is not sport (although there is some) but to enable us to fulfil obligations, some moral and some legal, to the public and to the State to maintain heritage assets, especially listed historic buildings. This Bill makes no distinction between rural land-holdings of different purposes, except for agriculture and sport.

Another failure is that of definition. By this, I mean in the dictionary sense (for example, I am still unclear as to what "sustainable" means in this Bill) and in the sense of legally-binding explanations and interpretations in the text of the Bill, leading to Ministers having huge powers to regulate what should be laid down by legislation. An example of the latter is the position of the Commissioners, who are to answer to the Ministers who appointed them (s8(1)) rather than to Parliament. In the Policy Memorandum (80), it is explained that their situation is so unlike that of Parliamentary commissioners, that it was deemed they should not be answerable to Parliament. It is this uniquely unusual position that means they should be answerable to Parliament, especially if they are to have legal immunities from, for example, actions for defamation like the Tenant Farmer Commissioner (s33(10)).

Moving on to the availability of information about the control and ownership of land (s35 on), safeguards must be made to protect the privacy of those who are either victims of crime or vulnerable for health reasons or controversial public figures. I fall into the first category, but no longer worry! Further, it is important that "requests" are only requests, as recipients may be subject to foreign privacy laws.