

Minister for Public Finance
Ivan McKee MSP



T: 0300 244 4000
E: scottish.ministers@gov.scot

Stuart McMillan MSP
Convener
Delegated Powers and Law Reform Committee
Scottish Parliament
Edinburgh
EH99 1SP

By email to: DPLR.Committee@parliament.scot

03 February 2026

Dear Convener,

BUILDING SAFETY LEVY (SCOTLAND) BILL

In advance of Stage 2 of the Building Safety Levy (Scotland) Bill ("The Bill"), I am writing to inform you that I have lodged Government amendments in relation to delegated powers contained in the Bill.

Following consideration of the recommendations in your Stage 1 report published on 12 November 2025, the Scottish Government propose to make changes to the regulation-making powers in sections 6, 10 and 12, of the Bill in line with the Committee's recommendations. Amendment 3 would require ministers to consult with local authorities and the residential property development sector before making regulations on adding/removing exemptions. Amendment 5 would require ministers to consult with Revenue Scotland and the residential property development sector before making regulations on amending the definition of financial year for the Levy. Amendment 6 would require Ministers to consult with the residential property development sector before making regulations on the Levy Free Allowance. I hope the Committee will welcome these changes.

The Scottish Government also proposes to amend the Bill to include a sunset clause by inserting a new section and a new delegated power into the Bill, amendment 15. This section would provide for the Act to expire after a period of 15 years. This period begins on the day on which this section comes into force. 15 years has been chosen in-line with the Finance and Public Administration Committee's recommendation and in-line with the estimated lifespan of the Cladding Remediation Programme of works. This amendment allows for Scottish Ministers to extend the period of 15 years through regulations. In doing so, Ministers would be required lay before the Parliament a statement of their reasons why it is necessary to extend the operation of the Act. Amendment 14 would amend section 48 of the Bill, requiring these regulations to be subject to the affirmative procedure, and

therefore requiring Parliament to approve any regulations made under this provision granting an extension.

Further to this, the Scottish Government proposes to amend the Bill to include a new section and a new delegated power, establishing statutory information-sharing gateways between Revenue Scotland and specified relevant entities for the purposes of administering the levy. This is necessary as, while the levy operates as a self-assessed tax, Revenue Scotland does not hold the building standards and completion data needed to support the validation of levy returns. In addition to this, Revenue Scotland's existing powers under the Revenue Scotland and Tax Powers Act 2014 places limits on information sharing, which can constrain their ability to corroborate taxpayer information with local authorities, and others, that hold relevant data.-assessed tax,

Amendment 8 creates a regulation making power, enabling the disclosure, receipt, and use of information necessary to support levy administration, including the validation of returns and identification of liable taxpayers. It is required for Ministers to consult with Revenue Scotland and any other persons as Ministers consider relevant. Provisions made under the power would allow Revenue Scotland to access bulk data, increasing efficiencies and reducing costs associated with the levy. Amendment 13 amends section 48, setting out that regulations made under this power would be subject to the affirmative procedure.

I hope this letter is helpful for the Committee in its scrutiny of the Bill.

Yours sincerely,



IVAN MCKEE