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Europe, External Affairs & Culture Committee -  
[ceeac.committee@parliament.scot](mailto:ceeac.committee@parliament.scot)

6<sup>th</sup> October 2025

Dear Kenneth,

## **NOTIFICATION OF EXPENDITURE WITHOUT STATUTORY AUTHORITY**

I am writing to update you regarding additional proposed expenditure by Scottish Ministers through their Constitution, External Affairs and Culture portfolio for financial year 2025/2026 towards the cost of the Review of Creative Scotland.

In the absence of statutory powers do so, the provision of this funding will be made under Scottish Ministers' common law powers.

Where there is no statutory power to undertake a particular activity, (provided any necessary resultant expenditure is authorised by Budget Act for the financial year in question), Ministers may use their common law powers to make expenditure, provided the expenditure is not of a continuing nature unless either the sums involved are below £1 million a year or Ministers undertake to seek statutory powers at the first available opportunity.

The Budget (Scotland) Act 2025 provides Parliamentary authority for this expenditure. Although there are no plans to seek statutory powers, this is a one-off series of payments totalling no more than £125,000 in financial year 2025/2026. This figure covers the remuneration and expenses for Angela Leitch and Stuart Currie in respect of their work as Chair and Vice Chair of the Review of Creative Scotland, costs associated with the stakeholder engagement process for the Review and with the publication of the recommendations.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

Parliament has previously been informed of Ministers' reliance on common law powers for some part of this expenditure previously concerning the remuneration for the Chair and Vice Chair, but this notification provides details of total anticipated costs. I trust that the information in this letter provides the requisite notification.

I would of course be more than happy to provide further information should the Committee wish it.

Yours sincerely,

**ANGUS ROBERTSON**

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