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Mark Ruskell
Convener
Rural Affairs Committee
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3 September 2026

Dear Mark,

I am writing to provide formal notice of my intention to lay regulations to amend the Land Reform (Scotland) Act 2016 to alter the number of Land Commissioners to the Scottish Land Commission (the “Commission”) following Dr MacLeod’s resignation earlier this year.

I intend to lay a Scottish Statutory Instrument, subject to the negative procedure, to amend the number of Land Commissioners specified in legislation from five to four. We currently expect the instrument to be laid in early October.

In reaching this decision, Scottish Ministers considered the Commission’s current and future functions, including those introduced through the Land Reform (Scotland) Act 2025, alongside the Scottish Government’s wider programme of public service reform. This includes a continuing focus on ensuring public services are delivered efficiently and effectively, making the best use of public resources.

This approach has been discussed with the Commission, which is understanding of the proposal and taking appropriate steps to manage any impact this may have on the Commission. Scottish Ministers are satisfied that the Commission will continue to be able to discharge its statutory functions effectively with four Land Commissioners, alongside the Tenant Farming Commissioner and the new Land and Communities Commissioner role established by the 2025 Act. The decision is not expected to impact the effective governance, operation or delivery of the Commission’s functions.

Prior to the amendment coming into force, there will remain a vacancy in membership of the Commission. However, under section 16 of the 2016 Act, the validity of anything done by the Commission is not affected by that vacancy, and Scottish Ministers remain compliant with the requirements of the 2016 Act.

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

St Andrew’s House, Regent Road, Edinburgh EH1 3DG
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My officials would be happy to provide any further information that may assist the Committee on this matter.

A handwritten signature in black ink, appearing to read 'Gillian Martin', with a stylized, flowing script.

GILLIAN MARTIN

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