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Scottish Parliament
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03 August 2026

Dear Convener,

I am looking forward to working with the Rural Affairs Committee over the coming years as I take forward the implementation of the Land Reform (Scotland) Act 2025. This will involve multiple SSIs for the Committee to consider and I am therefore setting out some proposed timescales in this letter to help the Committee prepare.

Appointment of the new Land and Communities Commissioner (LCC)

The first item for the Committee to consider will be the appointment of the new Land and Communities Commissioner (LCC). The statutory basis for the LCC post is provided by section 7 of the 2025 Act, which amends section 4 of the Land Reform (Scotland) Act 2016.

As with other appointments to the Scottish Land Commission (SLC), appointments by Scottish Ministers require Parliamentary approval, as set out in section 10 of the 2016 Act. The appointment process is also regulated by the Ethical Standards Commissioner, who has determined that the appointment round will be subject to formal scrutiny and has appointed a Public Appointments Adviser to provide independent oversight throughout the process.

As this will be the first appointment to the role, I am keen to engage early with the Committee to ensure a shared understanding of the statutory requirements, anticipated timetable and preferred approach to scrutiny. A draft timetable is attached at Annex A. Subject to any changes, the current timetable is designed to enable appointment of the new Commissioner by April 2027.

My officials will continue to engage with Committee clerks throughout the process. In the previous appointment round, the Committee:

- reviewed the draft application pack and other appointment materials before the recruitment process commenced;

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- considered information provided by the Scottish Government on the recommended candidates;
- reserved the option of taking evidence from recommended candidates;
- considered whether the appointment process and proposed appointments were satisfactory; and
- reported its conclusions to Parliament in advance of the Parliamentary approval motion.

I would be grateful if the Committee could indicate whether it wishes to adopt a similar approach for the appointment of the LCC.

I would also welcome the Committee's views on its intended approach to the publication of information relating to the recommended candidate, including their identity, may be made public through parliamentary processes. This will help ensure that applicants are clear from the outset about the scrutiny process and how information relating to their application may be handled.

Implementation of the 2025 Act

For other aspects of Part 1 of the Act, I intend to publish the first public consultation on implementation in autumn of this year. This will primarily focus on the approach to the community engagement obligations in section 1 of the 2025 Act, such as the content of the new Land Management Plans (LMPs), how owners of landholding in scope will meet certain obligations under this section, as well as draft guidance on properties in scope and connected persons.

Following this consultation, my officials will consult with the new LCC, as required by the 2025 Act, before a further public consultation on a draft of the regulations, expected in Autumn 2027. After this, I expect to lay draft regulations which implement the community engagement obligations in late 2028. These will be subject to the affirmative procedure.

I have decided to bring in the community engagement obligations first, in part because it would allow consideration of a landholding's LMP as part of any recommendation around lotting made by the LCC to Scottish Ministers. I intend to bring forward the regulations for the remaining parts of Part 1 – for pre-notification and for the transfer test/ lotting – in a single affirmative and single negative set of regulations. These will be consulted on and introduced to Parliament as soon as feasible. I expect this to be after the regulations for community engagement obligations. If agreed to by Parliament, I expect all regulations to contain a grace period before coming into force and enforcement beginning.

Some of the implementation will be taken forward by the Scottish Land Commission (SLC), in particular processes and guidance for enforcement, as the enforcement powers will lay with the SLC. Officials are also working closely with the SLC on planning for implementation. The Scottish Government retains responsibility for wider policy decisions and expects the SLC to respond to consultations in due course.

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For Part 2 of the Act, my officials will be engaging with the Committee Clerks around planning briefing sessions on tenant farming, small landholdings, the development of the hutting lease template and the new lease for environmental purposes in Part 2 of the 2025 Act. We will write to you in due course with further information on the timetable for implementing Part 2.

Yours sincerely,



GILLIAN MARTIN

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Annex A

APPOINTMENT PLAN

Stage in Process	Dates (all TBC at this stage)
Committee consider role in the appointment process	September 2026
Recruitment Panel Planning Meeting to develop recruitment papers (<i>after Committee has considered its role in the process</i>)	Mid / late September 2026
Minister approves recruitment papers	End of September
Committee opportunity to consider papers	TBC Early – mid-October
Advertising opens	Early November
Advertising closes	Early December
Shortlisting	Mid-December
Interview	January 2027
Minister's decision on preferred candidate	Early / mid-February
Committee opportunity to consider preferred candidate	Mid/ late February
Inform candidate and pre-appointment checks	Early / mid-March
Parliamentary vote	Mid/ late March
Appointment date	April 2027

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