



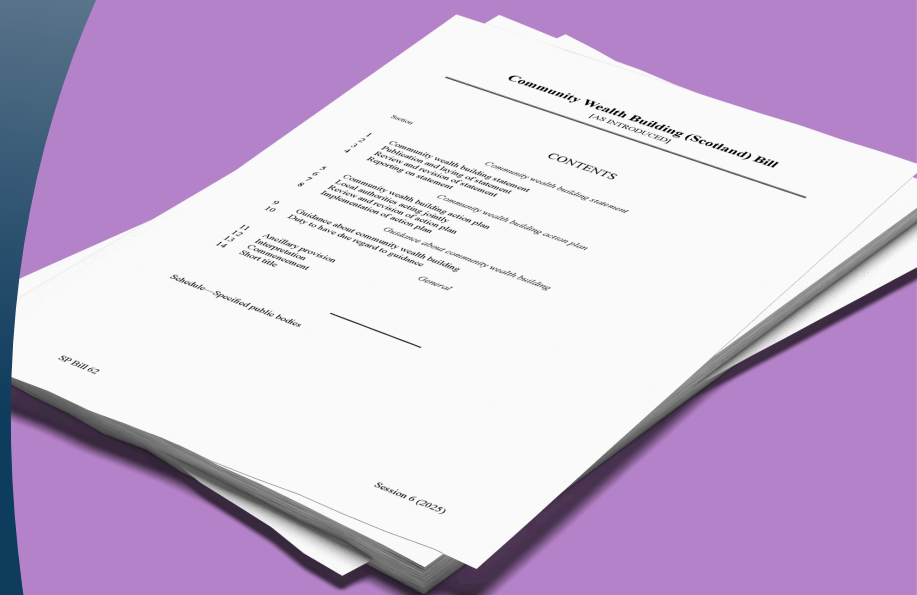
SPICe Briefing

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Community Wealth Building (Scotland) Bill: Briefing Prior to Stage 3

Rob Watts, Financial Scrutiny Unit, SPICe

This briefing supports Members in their consideration of the Community Wealth Building (Scotland) Bill at Stage 3. The briefing summarises the provisions of the Bill as introduced and how the Bill has been amended at Stage 2.



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Summary

[The Community Wealth Building \(Scotland\) Bill](#) (herein, 'the Bill') was introduced on 20 March 2025. Stage 2 ended on 21 January 2026, with the Stage 3 debate set for 10 February 2026.

The Bill aims to ensure that local authorities and other parts of the public sector implement community wealth building across Scotland. It does this by placing duties on Scottish Ministers and various public bodies, particularly local authorities. These duties relate to the publication and implementation of statements, action plans and guidance.

The Bill would not change the law in any policy areas directly related to community wealth building, such as public procurement, community asset transfers or employment law.

The Bill has been amended at Stage 2 to include additional statutory duties on Scottish Ministers, local authorities and other public bodies. These are primarily around the content of, and process behind, community wealth building action plans. There are also two new parts to the Bill, both requiring Scottish Ministers to publish a review into existing legislation and procurement.

Background to the Bill as introduced

The Community Wealth Building (Scotland) Bill (herein, 'the Bill') [was introduced](#) on 20 March 2025.

The Bill aims to ensure that local authorities and other parts of the public sector implement community wealth building across Scotland. It does this by placing duties on Scottish Ministers and various public bodies, particularly local authorities. These duties relate to the publication and implementation of statements, action plans and guidance.

The Bill would not change the law in any policy areas directly related to community wealth building, such as public procurement, community asset transfers or employment law.

What is community wealth building?

Community wealth building is an approach to economic development. It attempts to use the economic power of 'anchor' institutions to try and stimulate and retain economic activity within a local economy.

Anchor institutions are public, private or third sector bodies that have a large enough presence in a local economy to change economic outcomes. The Bill, however, would only place duties on public sector organisations.

The Bill's [Policy Memorandum](#) describes the five 'pillars' of community wealth building as:

“

- **Spending:** Maximising community, worker and business benefits through procurement and commissioning, developing impact enterprises, Fair Work, and shorter supply chains. Higher levels of spend with SMEs, micro-businesses and inclusive business models resulting in business growth and improved, resilient local and regional economies.”
- **Workforce:** Increasing Fair Work and developing local labour markets that support the prosperity and wellbeing of communities. Access to local and fair employment opportunities, fairer wages, skills development opportunities and improved wellbeing of employees.”
- **Land and Property:** Growing social, ecological, financial, and economic value that local communities gain from land and property assets. Land and property are used for the common good and benefit communities, SMEs and micro-businesses and the environment.”
- **Inclusive Ownership:** Developing more local and inclusive enterprises which generate community wealth, including social enterprises, employee-owned firms, and cooperatives. More inclusive and democratically owned enterprises and assets which means the wealth created locally and by local people stays in those communities in the form of incomes and profits. ”
- **Finance:** Ensuring that flows of investment and financial institutions work for local people, communities, and businesses. Money and investment are retained in a local area and are available to support communities and businesses.”

Community Wealth Building (Scotland) Bill: Policy Memorandum, SP Bill 62, Session 6 (2025)

Practical examples of community wealth building could include more localised procurement, payment of the real living wage, encouraging business models such as co-operatives, and transferring assets, such as properties or derelict land, to community organisations.

What's in the Bill?

Community wealth building is already happening across Scotland - and with increasing prevalence. However, this is not always underpinned by formal plans, and the extent to which community wealth building has been implemented varies across Scotland.

The Bill's aims are to ensure national coverage of community wealth building as an economic development tool.

The Bill would place a duty on the Scottish Ministers to publish a community wealth building statement. The statement must set out what measures the Scottish Ministers will take to:

“

- reduce economic and wealth inequality between individuals and communities in and across Scotland, and ”
 - support sustainable and inclusive economic growth in line with the United Nations sustainable development goals, ”
- by facilitating and supporting the generation, circulation and retention of wealth in local and regional economies.”

Community Wealth Building (Scotland) Bill as amended, SP Bill 62, Session 6 (2025)

The Bill would also place a duty on local authorities and 'relevant public bodies' in their area to form 'community wealth building partnerships'. These would be required to publish and, so far as reasonably practicable, implement a community wealth building action plan. Community wealth building partnerships could act jointly with other local authority areas.

Finally, the Bill would also place a duty on the Scottish Ministers to produce guidance in relation to both the production of action plans and the implementation of community wealth building principles generally. The Bill lists certain public bodies that must have 'due regard' to community wealth building guidance when developing their own corporate plans and associated delivery strategies.

The Bill has been amended at Stage 2 to include additional statutory duties on Scottish Ministers, local authorities and other public bodies. There are also two new parts to the Bill.

Stage 1 scrutiny

Lead committee scrutiny

The Economy and Fair Work Committee was appointed lead committee in scrutinising the Bill.

The Committee received [97 written responses](#) to its call for views – primarily from local authorities, other public bodies with duties under the Bill, third sector, community groups and co-operatives, and businesses, trade bodies and trade unions.

Oral evidence was taken across [four meetings in June 2025](#). Witnesses included academics, development trusts, credit unions, small business representatives and public bodies with duties under the Bill, such as Scottish Enterprise, the NHS and local authorities. The Committee also took evidence from the Minister for Public Finance.

Committee members also visited Alloa and Irvine to observe different local community wealth building approaches in practice. During these visits, members met with local authority staff, local businesses and community groups involved in implementing community wealth building strategies in their areas.

The Committee published its [Stage 1 report](#) on 3 October 2025.

The Committee supported the aims of the Bill and unanimously agreed to its general principles. However, it argued that, on its own, the Bill may not be sufficient to drive implementation of community wealth building in practice.

“ Further legislative and policy changes will be essential to fully realise the Bill's aims. Stakeholders consistently highlighted the importance of reforms in areas such as compulsory sale orders, procurement practices, community empowerment, and asset transfer. The Committee agrees these changes are vital and asks the Scottish Government to outline how the broader policy landscape will be adapted to support the Bill's success.”

Economy and Fair Work Committee, Stage 1 report

The Scottish Government responded to the Stage 1 report on 20 November 2025.

Scrutiny of the Financial Memorandum

The Finance and Public Administration Committee (FPAC) scrutinised the Bill's [Financial Memorandum \(FM\)](#). FPAC invited written evidence on the FM and received [nine responses](#).

Respondents to the FPAC generally welcomed the aims of the Bill but expressed concerns about the scope of the financial estimates given. Several noted that the FM only provided estimates for the development of action plans but made no reference to governance, implementation, or monitoring, all of which could require significant financial resources from local authorities and partner organisations already operating under resource

constraints.

The Presiding Officer determined that a Financial Resolution is required for this Bill. A [Financial Resolution](#) was lodged on 16 September 2025.

Scrutiny of the Delegated Powers Memorandum

The Bill [confers powers on Scottish Ministers](#) to make subordinate legislation.

The Delegated Powers and Law Reform Committee (DPLRC) was content with all but one of the powers conferred to Ministers under the Bill. The DPLRC was concerned about a power to issue community wealth building guidance. It [asked the Scottish Government](#) why such a power was needed and why the Bill does not specify the type of content that any guidance might include. It also questioned the absence of parliamentary oversight and why there was no requirement to consult community wealth building partnerships before preparing or issuing the guidance.

[In response](#), the Deputy First Minister and Cabinet Secretary for Economy and Gaelic (DFM) said that, although the Scottish Government does not require statutory authority to issue guidance,

“ A positive obligation to issue guidance was thought desirable to ensure that all of the good practice already developed by local authorities and others is gathered in one central resource.”

On parliamentary oversight, the DFM said:

“ The guidance will be the product of a practitioner dialogue enabled by the Scottish Government. As such, consideration of an applied guidance document by the Scottish Parliament is not considered to be necessary in this case. The Scottish Ministers will report to Parliament on their Community Wealth Building Statement, which will cover the measures that the Scottish Ministers are taking or intend to take in this area generally.”

The DPLRC was content with this response and [published its report](#) on 24 June 2025.

Stage 1 debate

The [Stage 1 debate](#) took place on 20 November 2025 to consider and decide on the general principles of the Bill. The Bill passed Stage 1 without a division.

Part 1: Community wealth building statement

Provisions of the Bill as introduced

Part 1 of the Bill would place a duty on Scottish Ministers to publish a community wealth building statement.

Specifically, the statement must set out what measures the Scottish Ministers will take to:

- “
- reduce economic and wealth inequality between individuals and communities in and across Scotland, and”
 - support economic growth in and across Scotland,”
- by facilitating and supporting the generation, circulation and retention of wealth in local and regional economies.”

Community Wealth Building (Scotland) Bill as introduced, SP Bill 62, Session 6 (2025)

The Bill, as introduced, also lists examples of measures that Ministers may include in their statement. These measures include the use of public procurement policy, promoting employee-owned businesses, co-operatives and social enterprises, facilitating community ownership of land and other assets, encouraging local business start-ups, promoting equality in the workplace and repurposing derelict land.

Under the Bill's proposals, the community wealth building statement must be reviewed every five years. The Scottish Ministers would be required to publish a report that details the steps taken in respect of each measure in the statement.

How the Bill was amended at Stage 2

Most of the amendments agreed to at Stage 2 add more specificity to what Scottish Ministers must include in their community wealth building statement.

An amendment lodged by Lorna Slater MSP (agreed to without division) means that measures set out on the face of the Bill 'must' be included in Ministers' community wealth building statement, rather than 'may' be included.

In addition to the measures on the face of the Bill as introduced, Scottish Ministers would now be required to set out in their community wealth building statement measures that include:

- “Promoting or supporting” supported businesses. These are businesses whose main aim is to integrate disabled or disadvantaged people into work.
- Promoting access to “investment opportunities that provide a benefit to the community and to local businesses”.

- “Supporting local climate resilience and mitigation of the effects of climate change”.
- Facilitating or supporting community ownership of energy assets.

There was some debate during Stage 1 over whether the statement should include measures that Scottish Ministers will take to “support economic growth”. This wording has now been changed to “support sustainable and inclusive economic growth in line with the United Nations sustainable development goals”.

A government amendment (agreed without division) would give Scottish Ministers the power to change the measures on the face of the Bill by regulation, subject to the affirmative procedure. The [Minister for Public Finance argued](#) this would “future proof” the community wealth building statement.

An amendment lodged by Richard Leonard MSP (agreed by division) would require Scottish Ministers to set out the steps they will take to encourage and support the Scottish National Investment Bank (SNIB) and Scotland’s three enterprise agencies to:

“ Increase the number, and promote the development, of employee-owned businesses.”

The Scottish Government routinely publishes guidance letters to the enterprise agencies, setting out its expectations for the strategic direction of the agencies. However, SNIB operates more independently. [Lorna Slater MSP questioned](#) whether this amendment might compromise the operational independence of SNIB from Ministers.

In preparing their community wealth building statement, amendments lodged by Lorna Slater MSP (agreed by division) require Scottish Ministers to ‘have regard’ to just transition principles (as set out in the Climate Change (Scotland) Act 2009) and consult with local authorities, community organisations, and social enterprises.

The Bill as introduced would require Scottish Ministers to publish a review of the community wealth building statement every five years, setting out the steps they have taken to deliver each measure in the statement. An amendment lodged by Sarah Boyack MSP (agreed without division) would now require Ministers to also set out the impact of the measures set out in the community wealth building statement.

Part 2: Community wealth building action plan

Provisions of the Bill as introduced

Part 2 of the Bill would place a duty on local authorities and ‘relevant public bodies’ to publish and, so far as reasonably practicable, implement a ‘community wealth building action plan’. The action plans must be consulted upon and reviewed at least every five years. Under the provisions of the Bill, a local authority and relevant public bodies in its area would form ‘community wealth building partnerships’, and can act jointly with other local authority areas.

Relevant public bodies are:

- Regional colleges
- Health boards
- Scottish Enterprise
- South of Scotland Enterprise
- Highlands and Islands Enterprise
- Skills Development Scotland
- Regional transport partnerships

The actions plans must set out the measures that the community wealth building partnerships will take “to facilitate and support the generation, circulation and retention of wealth in the local economy”.

The Bill then lists measures that ‘may’ be included in the actions plans – these are the same measures as listed in Part 1 of the Bill regarding the Scottish Government’s community wealth building statement.

How the Bill was amended at Stage 2

Part 2 of the Bill as introduced does not stipulate what actions community wealth building partnerships must include in their action plans. Instead, the government’s approach was to place a statutory duty on community wealth building partnerships to publish actions plans and then afford them flexibility around the content of those plans.

In terms of what would actually be implemented to deliver community wealth building – this has been left up to the community wealth building partnerships themselves.

During Stage 1, it became apparent that there is a perceived trade-off between this local flexibility and the potential scale of impact of the Bill.

Some stakeholders (particularly local government representatives) welcomed the perceived flexibility in the Bill, suggesting that it will allow community wealth building partnerships to adapt their action plans to the needs and priorities of their local area.

However, other respondents – particularly those from the third sector and community groups – argued that the Bill’s flexibility could result in community wealth building not being implemented meaningfully across Scotland. It was felt that this could limit the Bill’s potential to achieve its objective.

Amendments at Stage 2 fall on one side of this trade-off and make the duties in the Bill more prescriptive. They do not stipulate specific measures that community wealth building partnerships must include in their action plans, but they do specify targets, indicators and measures that must be reported against. The apparent intention is to nudge community wealth building partnerships to take steps to improve performance against these targets, indicators and measures.

Targets, indicators and measures in community wealth building action plans

Procurement

Amendments lodged by Murdo Fraser MSP (agreed by division) would require action plans to:

“ Set a target for the percentage of total spend on public procurement contracts awarded by the community wealth building partnership that should be spent on local economic operators.”

The target itself is not specified on the face of the Bill and is left up to community wealth building partnerships to decide.

Community wealth building partnerships would also be required to publish a report on the percentage of total spend on their public procurement contracts to “local economic operators”. The Bill does not define ‘local’.

Monitoring and evaluation plans

A more extensive amendment lodged by Daniel Johnson MSP (agreed by division) would require community wealth building partnerships to publish monitoring and evaluation plans alongside their community wealth building action plans.

These monitoring and evaluation plans must:

“ Set out targets, indicators and measures against which progress towards implementation of the community wealth building action plan will be measured, including—”

- the proportion of local and regional spend by the community wealth building partnership in relation to the awarding of public procurement contracts,”
- the proportion of spend with small and medium sized enterprises in relation to the awarding of public procurement contracts,”
- the performance of businesses, including for the local authority area and region— ”
 - the number of new businesses established,”
 - the total number of businesses,”
 - the total business output, ”
- the proportion of—”
 - employees paid the Real Living Wage,”
 - employers adhering to Fair Work criteria, ”
- employment outcomes, including—”
 - average wage,”
 - level of unemployment,”
 - availability of skills development programmes, ”
- the diversity of ownership models, including the number of businesses that are”
 - employee-owned,”
 - community-owned,”
 - municipally-owned,”
 - co-operatives, ”
- the variety of land use, including—”
 - use of the community right to buy,”
 - such other use of land as the community wealth building partnership considers relevant, ”
- the proportion of community wealth building partnership pension funds invested locally and regionally, ”
- the growth of local financial institutions, such as credit unions.”

Community wealth building partnerships must review progress against these monitoring

and evaluation plans in a published annual performance report. This report must include information about the actions taken, and resources used, by community wealth building partnerships to progress their action plans.

Daniel Johnson MSP said that the aim of this amendment is to ensure a “consistent methodology in measuring the same or similar things across different community wealth building plans. Those plans could then choose their targets. Essentially, there would be a consistent measurement framework, but local target setting would be maintained nonetheless”.

The minister for Public Finance resisted the amendment on the grounds that he wants to “give local authorities and other community wealth building partners the flexibility and autonomy to set meaningful local targets that they can use reliable data to measure progress on”.

Reporting on action plans

A similar but far less prescriptive amendment was lodged by the government and agreed without division.

This would require community wealth building partnerships to publish a report setting out the steps it has taken against each measure in its action plan.

Future changes to community wealth building action plans

An amendment lodged by Lorna Slater MSP (agreed by division) gives Scottish Ministers the power to “specify further details about the format” of community wealth building action plans, subject to the affirmative procedure. This leaves the door open to future governments to be more prescriptive about the content of action plans.

Obligations on community wealth partnerships when formulating plans

Some amendments have been made to the general process that community wealth building partnerships must follow when formulating their action plans (as opposed to the specific content of action plans).

Partnerships must now consult whoever they consider to be representatives of “the community”, “businesses”, “third sector bodies” within the local authority area. They must also report on what their consultation process is and how they have taken into account the views expressed in consultations.

Finally, community wealth building partnerships must “consider how the use or disposal of common good land and assets would further the aims of this Act”.

Measures that ‘may’ be included in community wealth building

action plans

Part 2 of the Bill lists measures that ‘may’ be included in community wealth building actions plans. These have been added to following Stage 2 amendments.

In addition to the measures in the Bill as introduced, community wealth building partnerships may now include in their action plans:

- “Facilitating or supporting community ownership” of energy assets.
- “Utilising common good property to provide financial, social or environmental benefit to the community, including the transfer of ownership to community organisations”.
- “Promoting or supporting the development of” supported businesses.
- “Promoting access to investment opportunities that provide a benefit to the community and to local businesses”.
- “Measures to support local climate resilience and mitigation of the effects of climate change”.

The updated list of relevant public bodies

Relevant public bodies in the Bill would form part of the community wealth building partnerships. They are the public bodies with duties under Part 2 of the Bill.

The list of relevant public bodies has been amended to include:

“ A regional strategic body specified in schedule 2A of the Further and Higher Education (Scotland) Act 2005 which is situated wholly or partly in the area of the local authority.”

This is a procedural change to ensure that the various colleges that form part of the University of the Highlands and Islands are included, due to their unique governance arrangements.

Amendments to add the following to the list of relevant public bodies did not pass Stage 2:

- Cooperative Development Scotland
- The Scottish National Investment Bank
- Local authority pension schemes
- Forestry and Land Scotland
- Crown Estate Scotland
- Network Rail Scotland
- National Park authorities
- Community councils

- Community planning partnerships
- Ferry operators
- Housing associations
- Integration joint boards
- Local employability partnerships
- Marine Scotland
- ScotRail
- Universities

Part 3: Guidance about community wealth building

Provisions of the Bill as introduced

Part 3 of the Bill would place a duty on Scottish Ministers to produce guidance in relation to both the production of action plans and the implementation of community wealth building principles generally.

It would also place a duty on a list of 'specified public bodies' to have 'due regard' to the guidance when developing their own corporate plans and associated delivery strategies.

The Bill specifies timelines for publishing and complying with the guidance but does not specify the content of any guidance.

The list of specified public bodies in the Bill as introduced is:

- Creative Scotland
- Crown Estate Scotland
- Highlands and Islands Airports Ltd
- Historic Environment Scotland
- Integration Joint Boards
- National Park Authorities
- NatureScot
- Police Scotland
- Scottish Canals
- Scottish Courts and Tribunals Service
- Scottish Environment Protection Agency
- Scottish Fire and Rescue Service
- Scottish Forestry
- Scottish Funding Council
- Scottish Futures Trust Ltd
- Scottish Land Commission
- Scottish National Investment Bank
- Special Health Boards

- Sportscotland
- Scottish Water
- VisitScotland

How the Bill was amended at Stage 2

Following Stage 2 amendments, the Bill now includes two areas that must be covered in the community wealth building guidance issued by Scottish Ministers.

The first relates to the amended Part 1 of the Bill, which specifies some measures that Scottish Ministers must include in their community wealth building statement. An amendment to Part 3 lodged by Sarah Boyack MSP (agreed without division) specifies that community wealth building guidance published by Scottish Ministers must include guidance on all of these measures.

Secondly, an amendment lodged by Lorna Slater MSP (agreed by division) means that Scottish Ministers must now publish guidance about:

“ The development of community-owned renewable energy, and skills and supply chains associated with renewable energy.”

The Bill has also been amended to require Scottish Ministers to consult before issuing guidance. A government amendment was agreed without division, which would require Scottish Ministers to specifically consult with the relevant and specified public bodies in the Bill.

Finally, the list of specified public bodies that must have ‘due regard’ for the community wealth building guidance has been amended.

The Crofting Commission has been added to the list, which the [Minister for Public Finance argued](#) was due to “the influence that the commission can exert on rural communities”.

Scottish Canals has been replaced with the British Waterways Board, as the former is simply the trading name of the latter in Scotland.

Amendments to add Forestry and Land Scotland, “housing associations and co-operatives acting as registered social landlords”, Marine Scotland, the Office of the Scottish Charity Regulator, “public sector pension funds”, the Scottish Housing Regulator, Scottish Prison Service, Social Security Scotland and Transport Scotland to the list of specified public bodies were all voted down.

New parts of the Bill: Reviews of legislation and procurement

Amendments at Stage 2 have added two new parts to the Bill.

The first amendment, lodged by Daniel Johnson MSP (agreed by division), would require the Scottish Government to review two pieces of existing legislation connected to community wealth building.

These two pieces of legislation are:

- Community Empowerment (Scotland) Act 2015
- Procurement Reform (Scotland) Act 2014

The Bill as amended would require Scottish Ministers to “carry out a review of whether community wealth building is supported by” the two pieces of legislation. This must include “an assessment of whether those Acts facilitate the effective implementation of” the provisions within this Bill. If not, the review must include any recommendations for legislative change.

The second amendment, lodged by Paul Sweeney MSP (agreed by division), would require the Scottish Government to carry out “a review of procurement to determine whether changes could be made to better support the intentions of this Act”.

This review “may” include consideration of:

- “
- letting contracts on the basis of ”
 - location of the company, ”
 - local employment potential, ”
 - encouraging small and medium sized enterprises to seek contracts, ”
 - lowering the procurement threshold for mandatory consideration of community benefits, ”
 - increasing the procurement threshold for regulated procurement to allow direct award to local suppliers where community benefits can be demonstrated, ”
 - prioritising social value and community benefit in procurement scoring criteria, ”
 - increasing support to small and medium sized enterprises, social enterprises and co-operatives to navigate the procurement process, ”
 - encouraging co-operatives and other democratic ownership structures to support workers to transition their company into employee ownership.”

During Stage 1 evidence, there was a sense from some community groups and other stakeholders that the aspirations behind community empowerment and procurement

legislation have not been achieved in full.

In particular, examples were given of community asset transfers being slow and complex, with local authorities not always fully enabling the process. The Community Empowerment (Scotland) Act 2015 created a statutory framework for community asset transfers, whereby community organisations have the right to request ownership of publicly owned assets, such as land and property.

Procurement was also a key part of Stage 1 evidence, with some stakeholders seeing it as the most obvious example of how public bodies could implement community wealth building (i.e. by directing more of their spending power into their local economies). There were calls for procurement thresholds to be reviewed, which some hoped would make it easier for community groups and small businesses to win procurement contracts with the Scottish public sector, and expand the use of community benefit requirements within public sector contracts.

The Scottish Government resisted these amendments, with the Minister for Public Finance arguing that they are unnecessary:

“ We have recently consulted on the scope for increasing contract thresholds in the 2014 act and lowering thresholds for community benefit requirements. That consultation closed on 8 January, and responses are being analysed.”

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