

Finance and Public Administration Committee  
27<sup>th</sup> Meeting 2025 (Session 6)  
Tuesday 7 October 2025

# Scottish Statutory Instruments relating to administration of the Scottish Aggregates Tax

## Overview

1. This paper invites the Committee to take evidence from the Minister for Public Finance and Scottish Government officials, in relation to the following three draft affirmative instruments regarding administration of the Scottish Aggregates Tax (SAT)—
  - Scottish Aggregates Tax (Administration) Regulations 2025 [draft]
  - Revenue Scotland and Tax Powers Act (Postponement of Tax Pending a Review or Appeal) Amendment Regulations 2025 [draft]
  - Revenue Scotland and Tax Powers Act (Record Keeping) Amendment Regulations 2025 [draft]
2. A public consultation on the instruments was held between 24 January and 21 March 2025. Five responses were received.<sup>1</sup> A [consultation analysis](#) was published by the Scottish Government in June 2025. The document states that “the material and views gathered through the consultation activities have informed the development of SAT policy in advance of the proposed introduction date of 1 April 2026”.
3. Impact assessments carried out in relation to the instruments include a [Business and Regulatory Impact Assessment](#) (BRIA) which explored three options: (1) not to introduce secondary legislation in advance of the SAT’s introduction date, (2) to introduce secondary legislation that aligns with the [Revenue Scotland and Tax Powers Act 2014](#) (RSTPA 2014) and also broadly retains the broad structure of the UK Aggregate Levy (UKAL), and (3) introducing a fundamentally different approach to the 2014 Act and UKAL.
4. The BRIA states that “after careful consideration, the Scottish Government recommends the adoption of option 2 ... on the basis that it will reduce the uncertainty for current and future taxpayers and their customers and make the transition between UKAL and SAT as smooth as possible for the businesses affected”. It further notes that this option reflects feedback received through engagement and parliamentary scrutiny of the Bill.
5. The Policy Notes on the instruments also state that “continued engagement using the expert advisory group will be used to review the operation of SAT on an ongoing basis after the tax is introduced”.

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<sup>1</sup> Three submissions were received to the public consultation. A further two responses were received from Scottish Aggregates Tax Expert Advisory Group Members.

6. Costs fall on Revenue Scotland to administer the tax and these are detailed in the [Financial Memorandum](#) laid alongside the Bill in November 2023.

## Scottish Aggregates Tax (Administration) Regulations 2025 [draft]

### Overview

**Title of instrument:** [The Scottish Aggregates Tax \(Administration\) Regulations 2025](#)

**Laid under:** [The Aggregates Tax and Devolved Taxes Administration \(Scotland\) Act 2024](#) and [The Revenue Scotland and Tax Powers Act 2014](#)

**Laid on:** 19 September 2025

**Lead committee to report by:** 13 November 2025

7. These Regulations make provision for the administration and assurance of the SAT.

### Policy objectives

8. The [Policy Note](#) accompanying the Regulations explains that the instrument “will specify the administration requirements associated with the SAT, to ensure that the tax can be successfully brought into operation on 1 April 2026”.
9. These include commencement of the Regulations, setting the basic method for determining the weight of aggregate for the purpose of the tax, making provisions regarding exemptions, and providing for entitlement to credit in certain circumstances.

## Revenue Scotland and Tax Powers Act (Postponement of Tax Pending a Review or Appeal) Amendment Regulations 2025 [draft]

### Overview

**Title of instrument:** [The Revenue Scotland and Tax Powers Act \(Postponement of Tax Pending a Review or Appeal\) Amendment Regulations 2025](#)

**Laid under:** [The Aggregates Tax and Devolved Taxes Administration \(Scotland\) Act 2024](#) and [The Revenue Scotland and Tax Powers Act 2014](#) (RSTPA 2014)

**Laid on:** 19 September 2025

**Lead committee to report by:** 13 November 2025

10. The instrument provides that, where a review or appeal is in progress, a taxpayer may make an application to Revenue Scotland to postpone payment of tax,

penalties or interest in relation to a liability for SAT or a liability for Scottish Landfill Tax.

## Policy objectives

11. The [Policy Note](#) on the instrument explains that “on receipt of an application from a taxpayer to postpone payment of tax, penalties or interest in relation to a liability for Scottish Aggregates Tax or a liability for Scottish Landfill Tax while an appeal or review is in progress, Revenue Scotland may, while the review or appeal is pending, grant the application to postpone tax, penalties or interest in whole or in part and may impose in relation to the granting of the application any further conditions it considers appropriate but only if it is satisfied that there are exceptional circumstances and that these exceptional circumstances are such as to justify postponement”.
12. Where Revenue Scotland does not agree to postponement, the taxpayer has a right of appeal to the Scottish Tax Tribunals against that decision.

## Revenue Scotland and Tax Powers Act (Record Keeping) Amendment Regulations 2025 [draft]

### Overview

**Title of instrument:** [The Revenue Scotland and Tax Powers Act \(Record Keeping\) Amendment Regulations 2025](#)  
**Laid under:** [The Aggregates Tax and Devolved Taxes Administration \(Scotland\) Act 2024](#) and [The Revenue Scotland and Tax Powers Act 2014](#) (RSTPA 2014)  
**Laid on:** 19 September 2025  
**Lead committee to report by:** 13 November 2025

13. This instrument makes provision for the records that must be preserved by registrable persons, and certain parties made exempt from registration, under the Aggregates Act.

## Policy objectives

14. The [Policy Note](#) states that the instrument sets out the transactions, the records and supporting documents that will need to be preserved to comply with section 74 of the RSTPA 2014. Section 74 provides that a person who is required to make a tax return in relation to a devolved tax must keep any records that may be needed to enable the person to make a correct and complete return and preserve those records.
15. The instrument also provides that a person who is exempt from registration is obliged to keep such records as are necessary to demonstrate eligibility for that exempt status and any other records as may be specified by a notice published by Revenue Scotland.

## Delegated Powers and Law Reform Committee consideration

16. The Delegated Powers and Law Reform (DPLR) Committee considered the three draft instruments at its meeting on 30 September 2025. The [Report on Subordinate Legislation considered by the DPLR Committee on 30 September 2025](#) states that it made no recommendations in relation to the instruments.

## Procedure for scrutiny

17. To inform the Committee's consideration of the three motions, there is an opportunity to take evidence on the instruments from the Minister for Public Finance and his officials at Agenda item 1 before moving to formal consideration of the motion at Agenda item 2.

18. During formal consideration of the motions, Standing Orders provide that only the Minister and Members may participate in the debate.

19. As lead Committee for consideration of these instruments, the Finance and Public Administration Committee is then invited to consider and vote on the following three motions lodged in the name of the Minister for Public Finance and supported by the Cabinet Secretary for Finance and Local Government—

- [S6M-19185](#) – That the Finance and Public Administration Committee recommends that the Scottish Aggregates Tax (Administration) Regulations 2025 [draft] be approved.
- [S6M-19186](#) – That the Finance and Public Administration Committee recommends that the Revenue Scotland and Tax Powers Act (Postponement of Tax Pending a Review or Appeal) Amendment Regulations 2025 [draft] be approved.
- [S6M-19187](#) – That the Finance and Public Administration Committee recommends that the Revenue Scotland and Tax Powers Act (Record Keeping) Amendment Regulations 2025 [draft] be approved.

20. Following its decision on the three instruments, the Committee will publish a report to the Parliament setting out details of its consideration.

Committee Clerking Team  
October 2025