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Claire Baker MSP
Convener, Economy and Fair Work Committee
Scottish Parliament
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(sent by email)

Our ref: Secondary legislation to implement the Tied Pubs (Scotland) Act 2021

30 May 2024

Dear Claire,

Many thanks to you and the Committee for agreeing to consider these regulations on 5 June, rather than on the planned date of 29 May.

I have heard concerns from the sector about the Scottish Pubs Code and I want to consider these concerns fully. I have therefore decided to undertake a short, focused and targeted consultation about how the Scottish Pubs Code could be amended.

The Tied Pubs (Scotland) Act 2021 contains a legal requirement for Scottish Ministers to lay the code by a certain date. That date could not be met due to the judicial review of the Act, but the legal requirement remains and requires me to lay the code as soon as reasonably practicable. This means I cannot withdraw the SSI and therefore I will be asking the Committee to approve the package of SSIs on 5 June.

I will however be bringing forward an amending SSI for laying on 7 June. This will address the points made by the Delegated Powers and Law Reform Committee, but importantly it will extend the coming into force date of the Scottish Pubs Code into 2025. Extending the coming into force date will create time and space for further dialogue and targeted consultation to take place with the sector. I will then bring forward a further SSI making amendments to the Scottish Pubs Code. Any amendments will take place ahead of the code going live. My officials will write to you with a full timetable in due course.

I will keep your Committee up to date with progress.

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Sincerely,



TOM ARTHUR MSP

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