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Kenneth Gibson
Convener of Finance and Public
Administration Committee
Scottish Parliament

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Dear Convener,

NOTIFICATION OF EXPENDITURE WITHOUT STATUTORY AUTHORITY

The Scottish Ministers, through their Finance and Economy portfolio, will provide funding of £15,000 from the budget for financial year 2022 to 2023 in order to fund the appointment of a Shadow Scottish Pubs Code Adjudicator. This is a temporary, interim role to do preparatory work that Ministers consider is necessary ahead of the commencement of the Tied Pubs (Scotland) Act 2021 (“the Act”) and the eventual statutory appointment of a Scottish Pubs Code Adjudicator.

This shadow appointment will be funded under common law powers. The Scottish Public Finance Manual provides that Ministers may use their common law powers to make expenditure, provided the expenditure is not of a continuing nature. This is one-off expenditure for a role of limited duration. The Budget (Scotland) Act provides Parliamentary authority for this expenditure.

The Scottish Public Finance Manual provides that the Parliament should be informed of this type of expenditure. I trust that the information in this letter provides the requisite notification. I would of course be more than happy to provide further information should the Committee wish.

Yours sincerely,

Ivan McKee

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