

Community Wealth Building (Scotland) Bill

[AS INTRODUCED]

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Schedule—Specified public bodies

**THE FOLLOWING ACCOMPANYING DOCUMENTS ARE ALSO PUBLISHED:
Explanatory Notes (SP Bill 62-EN), a Financial Memorandum (SP Bill 62-FM), a Policy
Memorandum (SP Bill 62-PM), a Delegated Powers Memorandum (SP Bill 62-DPM) and
statements on legislative competence (SP Bill 62-LC).**

Community Wealth Building (Scotland) Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to require the Scottish Ministers to prepare and publish a statement about community wealth building; to require local authorities and relevant public bodies to prepare and publish a community wealth building action plan, and to implement that plan; to require certain public bodies to have due regard to community wealth building guidance produced by the Scottish Ministers; and for connected purposes.

Community wealth building statement

1 Community wealth building statement

- (1) The Scottish Ministers must prepare a community wealth building statement.
- (2) The community wealth building statement must set out the measures that the Scottish Ministers are taking or intend to take to—
 - (a) reduce economic and wealth inequality between individuals and communities in and across Scotland, and
 - (b) support economic growth in and across Scotland,by facilitating and supporting the generation, circulation and retention of wealth in local and regional economies.
- (3) The measures may include—
 - (a) using public procurement to facilitate or support such generation, circulation and retention,
 - (b) promoting—
 - (i) employment opportunity,
 - (ii) workforce development,
 - (iii) equality in the workplace,
 - (c) diversifying ownership of land or other assets by facilitating or supporting community ownership,
 - (d) bringing vacant and derelict land back into use in a way that provides financial, social or environmental benefit to the community,
 - (e) encouraging local business start-ups or entrepreneurship,

(f) promoting or supporting the development of employee-owned businesses, co-operatives or social enterprises,

(g) such other measures as the Scottish Ministers consider appropriate.

(4) In preparing the community wealth building statement, the Scottish Ministers must—

(a) publish a draft statement,

(b) consult with such persons as they consider appropriate.

2 Publication and laying of statement

(1) The Scottish Ministers must—

(a) publish the community wealth building statement in such manner as they consider appropriate, and

(b) lay a copy of the statement before the Scottish Parliament.

(2) Subsection (1) must be complied with within the period of 18 months beginning with the day on which this section comes into force.

(3) As soon as reasonably practicable after complying with subsection (1), the Scottish Ministers must—

(a) prepare and publish, in such manner as they consider appropriate, a report setting out—

(i) the consultation process undertaken in order to comply with section 1(4)(b), and

(ii) the ways in which, in preparing the community wealth building statement, they have taken account of views expressed in the course of that process, and

(b) lay a copy of the report before the Scottish Parliament.

3 Review and revision of statement

(1) The Scottish Ministers—

(a) must keep the community wealth building statement under review, and

(b) may revise it as they consider appropriate.

(2) If the Scottish Ministers have not revised the community wealth building statement within the period of 5 years beginning with the day on which the community wealth building statement was last published, they must revise the statement.

(3) Section 1(2), (3) and (4) and section 2(1) and (3) apply in relation to revising the community wealth building statement as they apply in relation to preparing the first community wealth building statement.

4 Reporting on statement

(1) The Scottish Ministers must, as soon as reasonably practicable after the end of each reporting period—

(a) prepare a report setting out—

(i) the steps they have taken in the reporting period in respect of each measure included in the community wealth building statement,

- (ii) the steps they have taken in the reporting period to keep the community wealth building statement under review.
- (b) publish the report in such manner as they consider appropriate, and
- (c) lay a copy of the report before the Scottish Parliament.

5 (2) In this section, “reporting period” means—

- (a) the period of 5 years beginning with the day on which the community wealth building statement was first published,
- (b) each subsequent period of 5 years.

Community wealth building action plan

10 **5 Community wealth building action plan**

- (1) Each local authority and the relevant public bodies relating to it must prepare a community wealth building action plan for the area of the local authority in question within the period of 3 years beginning with the day on which this section comes into force.
- 15 (2) Each local authority must publish the community wealth building action plan prepared in accordance with subsection (1) as soon as reasonably practicable following its preparation.
- (3) In relation to the functions conferred on them by this Act—
 - 20 (a) a local authority and the relevant public bodies relating to it are collectively referred to in this Act as a “community wealth building partnership”,
 - (b) a local authority and each relevant public body relating to it are individually referred to in this Act as a “community wealth building partner”.
- (4) A community wealth building action plan must set out the measures the community wealth building partnership is taking, or intends to take, to facilitate and support the generation, circulation and retention of wealth in the local economy.
- 25 (5) The measures referred to in subsection (4) may include—
 - (a) using public procurement to facilitate or support such generation, circulation and retention,
 - (b) supporting local economic operators to access public sector contracts,
 - 30 (c) promoting—
 - (i) employment opportunity,
 - (ii) workforce development,
 - (iii) equality in the workplace,
 - (d) diversifying ownership of land or other assets by facilitating or supporting community ownership,
 - 35 (e) bringing vacant and derelict land back into use in a way that provides financial, social or environmental benefit to the community,
 - (f) encouraging local business start-ups or entrepreneurship,
 - (g) promoting or supporting the development of employee-owned businesses, co-operatives or social enterprises,
 - 40

(h) such other measures as the community wealth building partnership considers appropriate.

(6) In contributing to the preparation of a community wealth building action plan, a local authority must consult—

(a) such persons as it considers likely to be directly affected by the community wealth building action plan, and

(b) such other persons as it considers appropriate.

(7) In preparing a community wealth building action plan, a community wealth building partnership must have due regard to guidance issued under section 9(1)(a).

(8) In this section and in section 6, “relevant public bodies” in relation to a local authority are—

(a) the board of management of a regional college designated by order under section 7A of the Further and Higher Education (Scotland) Act 2005 which is situated wholly or partly in the area of the local authority,

(b) a Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978 whose area includes, or is the same as, the area of the local authority,

(c) Scottish Enterprise,

(d) South of Scotland Enterprise where all or part of the area of the local authority is within the South of Scotland as defined by section 21 of the South of Scotland Enterprise Act 2019,

(e) Highlands and Islands Enterprise where the area within which, or in relation to which, it exercises functions in accordance with section 21(1) of the Enterprise and New Towns (Scotland) Act 1990 includes the whole or part of the area of the local authority,

(f) the Skills Development Scotland Co. Limited,

(g) a regional Transport Partnership established by virtue of section 1(1)(b) of the Transport (Scotland) Act 2005 whose region includes, or is the same as, the area of the local authority.

(9) The Scottish Ministers may by regulations modify the list in subsection (8) so as to—

(a) add a person or description of person,

(b) remove an entry listed in it,

(c) amend an entry listed in it.

(10) Regulations under subsection (9) are subject to the affirmative procedure.

6 Local authorities acting jointly

(1) Two or more local authorities may act jointly, with the relevant public bodies relating to them, to prepare and publish a community wealth building action plan for the areas of the local authorities in question.

(2) Where two or more local authorities act jointly under subsection (1)—

(a) they must continue to act jointly in relation to the community wealth building action plan in all respects,

- (b) unless the context requires otherwise, a reference in this Act to—
- (i) a local authority, in relation to a community wealth building action plan or community wealth building partnership, is a reference to the authorities acting jointly, and
 - (ii) the area of a local authority is a reference to the combined areas of those authorities.

7 Review and revision of action plan

- (1) Each community wealth building partnership—
 - (a) must keep its community wealth building action plan under review,
 - (b) may revise the plan as it considers appropriate.
- (2) If the community wealth building partnership has not revised its community wealth building action plan within the period of 5 years beginning with the day on which the plan was last published, it must revise the plan.
- (3) Where a community wealth building partnership revises its community wealth building plan under subsection (1)(b) or (2), it must publish the revised plan.
- (4) Subsection (1) and section 5(4), (5), (6), and (7) apply in relation to a revised community wealth building action plan published under subsection (3) as they apply in relation to a community wealth building action plan published under section 5.

8 Implementation of action plan

During the period to which a community wealth building action plan relates, the community wealth building partners must, so far as reasonably practicable, implement the measures set out in the plan in the area of the local authority.

Guidance about community wealth building

9 Guidance about community wealth building

- (1) The Scottish Ministers must issue guidance about—
 - (a) community wealth building action plans,
 - (b) facilitating and supporting the generation, circulation and retention of wealth in local and regional economies.
- (2) Subsection (1) must be complied with within the period of 18 months beginning with the day on which this section comes into force.
- (3) The Scottish Ministers must from time to time review guidance published under this section and may revise the guidance.
- (4) The Scottish Ministers must, as soon as reasonably practicable after issuing—
 - (a) guidance under subsection (1), or
 - (b) revised guidance under subsection (3),publish the guidance in such manner as they consider appropriate (including as part of another document).
- (5) References in section 5(7) and section 10(1) to guidance under this section include references to guidance revised under subsection (3).

10 Duty to have due regard to guidance

- (1) The specified public bodies must have due regard to guidance issued under section 9(1)(b) when developing—
- (a) that body’s corporate plan,
 - (b) delivery strategies in relation to that plan.
- (2) In this section, “the specified public bodies” means the persons listed in the schedule.
- (3) The Scottish Ministers may by regulations modify the list in the schedule so as to—
- (a) add a person or description of a person,
 - (b) remove an entry listed in it,
 - (c) amend an entry listed in it.
- (4) Regulations under subsection (3) are subject to the affirmative procedure.

*General***11 Ancillary provision**

- (1) The Scottish Ministers may by regulations make any incidental, supplementary or consequential provision they consider appropriate for the purposes of, in connection with or for giving full effect to this Act or any provision made under it.
- (2) Regulations made under this section may—
- (a) make different provision for different purposes,
 - (b) modify any enactment (including this Act).
- (3) Regulations under this section—
- (a) are subject to the affirmative procedure if they add to, replace or omit any part of the text of an Act,
 - (b) are otherwise subject to the negative procedure.

12 Interpretation

In this Act—

- “community wealth building partner” has the meaning given by section 5(3)(b),
- “community wealth building partnership” has the meaning given by section 5(3)(a),
- “economic operators” means any person who offers the execution of works, the supply of products or the provision of services on the market,
- “relevant public bodies” has the meaning given by section 5(8),
- “specified public bodies” has the meaning given by section 10(2).

13 Commencement

- (1) This section and sections 11, 12 and 14 come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under this section may make different provision for different purposes.

14 Short title

The short title of this Act is the Community Wealth Building (Scotland) Act 2026.

SCHEDULE
(introduced by section 10)

SPECIFIED PUBLIC BODIES

- Creative Scotland
- 5 • Crown Estate Scotland
- Highlands and Islands Airports Limited (company number SC097647)
- Historic Environment Scotland
- An integration joint board established by virtue of section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014 to which functions of a local authority and Health Board are delegated
- 10 • A National Park authority established by virtue of a designation order under section 6 of the National Parks (Scotland) Act 2000
- The chief constable of the Police Service of Scotland
- Scottish Canals
- 15 • The Scottish Courts and Tribunals Service
- The Scottish Environmental Protection Agency
- The Scottish Fire and Rescue Service
- Scottish Forestry
- The Scottish Further and Higher Education Funding Council
- 20 • Scottish Futures Trust Limited
- Scottish Land Commission
- Scottish National Investment Bank plc
- Scottish Natural Heritage
- Scottish Sports Council
- 25 • Scottish Water
- A Special Health Board constituted under section 2(1)(b) of the NHS (Scotland) Act 1978
- VisitScotland

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