

Economy and Fair Work Committee
Wednesday 17 December 2025
36th Meeting, 2025 (Session 6)

Digital Assets (Scotland) Bill (Stage 1)

Note by the Clerk

Background

1. The Digital Assets (Scotland) Bill (“the Bill”) was introduced by the Scottish Government on 30 September 2025. The Bill, and its accompanying documents, [can be found on the Parliament’s website](#).
2. The Economy and Fair Work Committee is lead committee for scrutiny of the Bill at Stage 1.
3. The role of the Committee at Stage 1 is report to the Parliament on the general principles of the Bill, to inform the chamber debate. The scope of this Bill is to confirm the status of digital assets as objects of property which are capable of being owned, bringing clarification to Scots private law. Private law is the branch of the law which deals with disputes between individuals and/or organisations.

Digital Assets (Scotland) Bill

4. The Bill sets out—
 - a definition of digital assets;
 - that digital assets will generally be treated by the law as incorporeal moveable property;
 - how ownership of digital assets can be established;
 - the rules governing the voluntary transfer of ownership; and
 - the general principles of Scots private law will apply to digital assets.
5. The Bill takes forward some recommendations from the Digital Assets in Scots Private Law: [Expert Reference Group](#), and from the Scottish Government’s [Digital assets in Scots private law: consultation](#).
6. Two SPICe briefings have been published. The first, [Digital Assets in Scots Law](#) (2025), in advance of the Bill being introduced, by Dr Alisdair MacPherson and Professor Burcu Yüksel Ripley as part of the Scottish Parliament Information Centre (SPICe) academic fellowship scheme. The [second briefing](#), published after the Bill was introduced, considers the Bill as introduced, including relevant terminology and concepts.

Committee Role and Scrutiny

7. The Committee considered and agreed its approach to Stage 1 scrutiny at its meeting on 8 October 2025 and launched a call for views, which closed in November. 15 responses were received and [are available online](#).
8. This is the Committee's final evidence session on the Bill. A draft report will be brought to the meeting on 14 January.

Evidence session

10. Today, the Committee will hear from —

- Richard Lochhead, Minister for Business and Employment;
- Kieran Burke, Team Leader, Digital Assets Bill;
- Liam Hepburn, Senior Policy Official;
- Fraser Gough, Parliamentary Counsel; and
- Emma Phillips, Legal Directorate, Scottish Government.

Clerk to the Committee
December 2025