

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION  
NOT FOR PUBLICATION OR BROADCAST  
BEFORE 0001 HOURS 27 FEBRUARY 2009

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**SCOTTISH LAW COMMISSION ANNUAL REPORT 2008  
(Scot Law Com No 214)**

**In its Annual Report 2008, published today, the Scottish Law Commission reports on progress with its law reform projects over the last year and gives details of Discussion Papers and Reports expected during 2009.**

In his foreword, the Chairman, Lord Drummond Young, voices concern about the number of Commission reports that remain unimplemented and warns of the danger of Scots law falling behind other legal systems. He nevertheless welcomes recent indications that some of the Commission's reports may be considered for implementation.

The Annual Report details the Discussion Papers and Reports published during 2008, including the most recent Discussion Paper on Unincorporated Associations, and the Reports on Crown Appeals and Damages for Wrongful Death.

The Commission also published a Discussion Paper on Liability of Trustees to Third Parties, a joint Consultation Paper with the Law Commission for England and Wales on Consumer Remedies for Faulty Goods and its Eighteenth Joint Report with the Law Commission on Statute Law Repeals.

**Projects under the Commission's Seventh Programme of Law Reform**

The Report outlines current projects under the Commission's Seventh Programme of Law Reform – including land registration, trusts, succession and unincorporated associations.

**References from Ministers**

The Report also provides information about progress on projects arising from references from Scottish Ministers, including projects which were completed during 2008 on Crown Appeals and Damages for Wrongful Death.

## New projects

During 2008 the Commission started work on two new projects – a joint project with the Law Commission which is reviewing the law relating to level crossings and a project to consolidate the Scottish legislation on bankruptcy.

## Joint projects with the Law Commission for England and Wales

The Scottish Law Commission undertakes some of its law reform work jointly with the Law Commission for England and Wales. During 2008 the Commission continued to work with the Law Commission on two joint projects on insurance contract law and consumer remedies.

## Publications planned for 2009

During 2009 the Commission plans to publish a Discussion Paper on the Accumulation of Income and Lifetime of Private Trusts as well as Joint Consultation Papers with the Law Commission for England and Wales on Insurance Contract Law and Level Crossings. Also planned are Reports on –

- Land Registration
- Succession
- Unincorporated Associations
- Double Jeopardy
- Consolidation of the Bankruptcy legislation

and a Joint Report with the Law Commission on Consumer Insurance: Pre-Contract Information.

## NOTES TO EDITORS

1. The Scottish Law Commission was set up in 1965 to promote the reform of the law of Scotland. The Chairman is the Hon Lord Drummond Young, a Court of Session judge. The other Commissioners are Professor George L Gretton, Patrick Layden QC TD, Professor Joseph M Thomson and Colin J Tyre QC. The Chief Executive is Malcolm McMillan.

2. Further information can be obtained by contacting Malcolm McMillan, Chief Executive, Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR (Tel: 0131 668 2131, Fax: 0131 662 4900, email: [info@scotlawcom.gov.uk](mailto:info@scotlawcom.gov.uk)).

3. The Annual Report may also be viewed on our website at [www.scotlawcom.gov.uk](http://www.scotlawcom.gov.uk) or purchased from TSO ([www.tsoshop.co.uk](http://www.tsoshop.co.uk)).