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Bringing the Statute Book up to date

An Act from 1979 allowing referendums for a Scottish Parliament and Welsh Assembly is among legislation being recommended for repeal by the Law Commissions.

In a report published today the Law Commission for England and Wales and the Scottish Law Commission propose clearing away more than 200 old laws that are cluttering up the statute book. The Acts being recommended for repeal are set out in a draft Statute Law (Repeals) Bill attached to the report.

The Bill covers a wide range of topics from agriculture and churches to trade and industry and taxation. The earliest repeal is from the Statute of Marlborough 1267. Passed during the reign of Henry III, the Statute is one of the oldest surviving pieces of legislation. The most recent repeal is part of the Consumers, Estate Agents and Redress Act 2007.

Sir David Lloyd Jones, Chairman of the Law Commission for England and Wales, and Lord Pentland, Chairman of the Scottish Law Commission, said:

“The Law Commissions of England and Wales, and of Scotland, are committed to cleaning up and modernising our legislation. The statute book is littered with dead law from down the centuries. Obsolete provisions from as far back as the 13th century continue to survive long after they have ceased to serve any useful purpose.

“This Statute Law Repeals Bill is the result of rigorous research and thorough consultation. If implemented, its provisions will help to make the law easier to understand and simpler to use.”

The report, Statute Law Repeals: Twentieth Report, is available on the Law Commissions’ websites: www.lawcom.gov.uk, www.scotlawcom.gov.uk.

Examples of repeals included in the Statute Law (Repeals) Bill

- A 1997 Act passed to allow referendums on whether to establish a Scottish Parliament and a Welsh Assembly
- An Act of 1865 to help the Assam Company run its tea plantations in British India
- An Act of 1788 to raise money to rebuild St Mary’s Church, Paddington
- 36 tax Acts from the 19th and 20th centuries including Acts to tax excess profits made by businesses during the Second World War
- A 1938 Act to maintain stocks of food and fuel in the event of war
- A 1939 Act to protect the public against the mis-selling of insurance for war damage to their homes
- A 1267 Act controlling the seizing of debtors’ goods
- A 1964 Act to clear away slums and promote house building
- Four Acts about the recently-abolished Foreign Compensation Commission.

Notes for editors

1. The Law Commission and the Scottish Law Commission are non-political independent bodies, set up by Parliament in 1965 to keep all the law of England and Wales and of Scotland under review, and to recommend reform where it is needed.
2. For more details on the Commissions' work go to the Statute Law Repeals pages on www.lawcom.gov.uk or <http://www.scotlawcom.gov.uk/law-reform-projects/joint-projects/statute-law-repeals/>
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