

Spring 2018

e-bulletin

Keeping you up to date with Scottish Law Commission news and consultations

Latest News

Tenth Programme of Law Reform

The Commission launched the Tenth Programme of Law Reform in February this year. The Programme will run for a period of 5 years.

New projects cover the law of homicide, certain aspects of family law, the law affecting surrogacy, and some topics relating to damages for personal injury.

The Programme also incorporates ongoing work from the previous Programme: on contract law (this project has now been completed), heritable securities and aspects of the law of leases.

In addition, the Commission has commenced work on a new joint project with the Law Commission for England and Wales, on the regulation of automated vehicles.

Prescription (Scotland) Bill

In March, Commissioner David Johnston QC and project manager Gillian Swanson gave evidence on the Prescription (Scotland) Bill to the Delegated Powers and Law Reform Committee. See [here](#) for the video. The Bill would implement recommendations in the Commission's Report on Prescription in 2017.

Farewell to Professor Hector MacQueen



Professor Hector MacQueen's term of office as a Commissioner culminated in the publication of a final Report on contract law in March this year.

At the Law Awards ceremony in November 2017, Professor MacQueen received an Outstanding Contribution Award in recognition of his contribution to Scots law, including law reform.

The Commission congratulates Professor MacQueen on his substantial contribution to law reform as a Commissioner.

A new Commissioner will be appointed shortly to take the lead on law reform projects within the area of family law.

Our current work

Our current law reform projects are set out below. These include joint law reform projects with the Law Commission for England and Wales. For further information on any particular project, click on the link which takes you to the project page on our website.

Scottish Law Commission only projects

- [Heritable securities](#)
- [Aspects of the law of leases](#)
- [Homicide](#)
- [Aspects of family law](#)
- [Damages for personal injury](#)
- [Section 53 of the Title Conditions \(Scotland\) Act 2003](#)

Joint projects with the Law Commission for England and Wales:

- [Insurance law](#)
- [Surrogacy](#)
- [Automated vehicles](#)

Statute law

- [Consolidation of statutes](#)
- [Statute law repeals](#)

Forthcoming consultations

The Commission expects to publish shortly a Discussion Paper on Aspects of Leases: Termination; and a Discussion Paper on section 53 of the Title Conditions (Scotland) Act 2003.

Recent publications

Report on Review of Contract Law: Formation, Interpretation, Remedies for Breach, and Penalty Clauses

The Commission published a Report in March this year on the Review of Contract Law: Formation, Interpretation, Remedies for Breach, and Penalty Clauses. The Report marks the culmination of a general review of Scots contract law carried out by the Commission over a number of years. See [here](#). For a video of the lead Commissioner, Professor MacQueen, talking about the Report, see [here](#).

Report on Moveable Transactions

The Commission published a Report on Moveable Transactions in December 2017. This was the culmination of one of the most complex projects ever undertaken by the Commission. This area is a crucial part of commercial law. The recommendations are aimed at improving access to finance in Scotland. See [here](#).

Report on Defamation

In December 2017 the Commission published a Report recommending reform of defamation law in Scotland, with proposals designed to modernise the law for the age of the internet and social media. See [here](#).

In January, our Chairman, Lord Pentland, and project manager Graham McGlashan gave a briefing to the Justice Committee on the Report. See [here](#) for the video.

Annual Report 2017

In February the Commission published the Annual Report for 2017. See [here](#).

Visits to the Commission

Visit by Ms Annabelle Ewing, Minister for Community Safety and Legal Affairs



The Minister for Community Safety and Legal Affairs with the Chairman, Lord Pentland

Visitors to the Commission recently included Annabelle Ewing MSP, Minister for Community Safety and Legal Affairs in November 2017; and the Scottish Law Officers; the Lord Advocate, James Wolffe QC and the Solicitor General for Scotland, Alison di Rollo QC.

Visit by the Lord Advocate and Solicitor General for Scotland



The Lord Advocate and the Solicitor General for Scotland with the Commission's legal assistants

The visitors viewed a display of the Commission's reports since 1965 and discussed the impact of the work on Scotland's legal landscape; and met Commissioners and staff.

Further information

Further information about the Commission and our law reform work can be found on our website at <http://www.scotlawcom.gov.uk/>. The website has full text versions of all of our reports and discussion papers.

Follow us on Twitter for regular updates and information: [@scotlawcom](https://twitter.com/scotlawcom).

To see videos about the Commission and our work: click [here](#).

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