

29 November 2022

Elena Whitham MSP
Minister for Community Safety
St Andrew's House
Regent Road
Edinburgh
EH1 3DG



Your ref:
Our ref:

By email to: scottish.ministers@gov.scot

Dear Minister,

Trusts and Succession (Scotland) Bill

First of all, congratulations on your appointment as Minister for Community Safety. I look forward to our meeting on Tuesday 13 December 2022.

On the question of the Trusts and Succession (Scotland) Bill, many thanks for your letter of 23 November 2022. I am delighted to hear of the progress of the Bill.

I confirm that I am content that the Bill gives effect to the Scottish Law Commission's recommendations. I accept the advisability of the legislative route proposed for pension trusts. In relation to the removal of section 42(2) from the current Bill (i.e. formerly section 41(2) of the SLC Bill in the Report no 239), I have no difficulty with that, particularly standing the majority response of consultees noted at paragraph 14.35 of the Report. I also agree that the Bill meets the necessary criteria for consideration by the Delegated Powers and Law Reform Committee.

The Scottish Law Commission and other stakeholders are very grateful to the Scottish Government for taking this Bill forward. It will undoubtedly assist Scotland's recovery post-pandemic.

Best wishes,

LADY ANN PATON
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