

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION
NOT FOR PUBLICATION OR BROADCAST
BEFORE 0001 HOURS ON 7 APRIL 2011

**DISCUSSION PAPER ON SUPPLEMENTARY AND MISCELLANEOUS ISSUES
RELATING TO TRUST LAW (DP No 148)**

In its continuing review of the law of trusts, the Scottish Law Commission seeks comments on a number of topics in its Discussion Paper, published today, entitled Supplementary and Miscellaneous Issues relating to Trust Law. As the name suggests, the paper covers a variety of topics. Some of these are matters which have been discussed in earlier trust law papers but on which we consider that – for a variety of reasons – further views are needed. In other cases we have decided to consult on entirely new topics, such as whether there would be a welcome for types of trust which are not currently available under Scots law but which are relatively commonly found in certain leading trust law jurisdictions round the world.

The Discussion Paper is available on the Commission's website at <http://www.scotlawcom.gov.uk/> and comments on the proposals are sought by 1 July 2011.

Previous Discussion Papers in our review of trust law are:

- Breach of Trust (DP No 123, 2003),
- Apportionment of Trust Receipts and Outgoings (DP No 124, 2003),
- Trustees and Trust Administration (DP No 126, 2004),
- Variation and Termination of Trusts (DP No 129, 2005),
- Nature and Constitution of Trusts (DP No 133, 2006),
- Liability of Trustees to Third Parties (DP No 138, 2008),
- Accumulation of Income and Lifetime of Private Trusts (DP No 142, 2010).

One Report has been published, on the Variation and Termination of Trusts (Scot Law Com No 206; 2007). In addition, work was done in the late 1990s with the Law Commission of England and Wales which led to the Report on Trustees' Powers and Duties (Law Com No 260, Scot Law Com No 172; 1999).

All of these publications are available on our website.

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 Laura J Dunlop QC, Professor George L Gretton, Patrick Layden QC TD, and Professor Hector L MacQueen. The Chief Executive is Malcolm McMillan.
2. Further information can be obtained by contacting Charles Garland, Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR (Tel: 0131 668 2131, Fax: 0131 662 4900, email: info@scotlawcom.gsi.gov.uk).
3. The paper may also be viewed on our website at www.scotlawcom.gov.uk or purchased from TSO (www.tsoshop.co.uk).