

June 2019

e-bulletin

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

Our current work

Our current law reform projects are set out below. These include joint law reform projects with the Law Commission of England and Wales. For further information on any particular project, click on the link.

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 of England and Wales:

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

Statute law

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

News

Conference on Impact and Law Reform

A conference on impact and law reform was held at the Institute of Advanced Legal Studies in London on 10 June this year.

The conference was organised by the Socio-Legal Studies Association and the Society of Legal Scholars, in association with the Law Commission of England and Wales and the Scottish Law Commission.

The conference reflected on how academic legal research can influence and inform law reform, with debate on current law reform projects.

Lady Paton, who took up appointment as the Commission's Chair in January this year, gave a presentation at the plenary session.



Lady Paton

Commissioner Dr Andrew Steven led a workshop, along with Dr John MacLeod of the University of Edinburgh, discussing their experience of working together on the Commission's heritable securities project.

Professor Hector MacQueen gave a presentation, reflecting on his experience of law reform as an academic and as a former Commissioner.

Law reform in the Commonwealth

At the Commonwealth Law Conference in Livingstone, Zambia in April, Lady Paton gave a presentation about the value of law reform and of law reform bodies.

The Commission was represented by Lady Paton and the Chief Executive, Malcolm McMillan, at the conference of the Commonwealth Association of Law Reform Agencies (CALRAs). A session on the implementation of law reform recommendations focussed on the process for referring Commission Bills to the Delegated Powers and Law Reform Committee of the Holyrood Parliament.



Delegates at the CALRAs conference

Current consultations

Surrogacy

The Commission and the Law Commission of England and Wales published a joint consultation paper on surrogacy on 6 June 2019. The paper is entitled Building families through surrogacy – a new law, and is available [here](#). We seek views by 27 September 2019.

Heritable securities

A Discussion Paper on Heritable Securities: Pre-default was published by the Commission on 18 June 2019. The Discussion Paper is available [here](#). Comments are requested by 30 September 2019.

Other recent publications

Automated Vehicles

On 19 June 2019 the Commission and the Law Commission of England and Wales published an analysis of responses received to our joint preliminary consultation paper on Automated Vehicles: see [here](#).

Report on Section 53 of the Title Conditions (Scotland) Act 2003

In April 2019, the Commission published the Report with recommendations designed to clarify the rules on enforcing real burdens. The Report is available [here](#).

Having received evidence that section 53 of the 2003 Act causes significant difficulties in practice, the Justice Committee recommended that the Scottish Government should refer section 53 to the Commission. The Scottish Government did so. In January 2019, the Commission consulted on a working draft of the Bill. This Report completes the Commission's work on the issue.

Trust Law reform: further work

In December 2018 the Commission published a revised version of the Trusts (Scotland) Bill. This complements and develops law reform recommendations made in the Commission's 2014 Report on Trust Law. For the Bill and further details, see [here](#).

Annual Report 2018

In February the Commission published the Annual Report for 2018: see [here](#).



Further information

Further information about the Commission and our law reform work can be found on our website at 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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