

ISSUED ON BEHALF OF THE SCOTTISH LAW COMMISSION  
NOT FOR PUBLICATION OR BROADCAST  
BEFORE 27 NOVEMBER 2014

\*\*\*\*\*

Scottish Ministers' Programme for Government 2014-15

The Scottish Law Commission welcomes the announcement by the First Minister that the Scottish Government intends to introduce a Bill on aspects of succession law, and also to consult in the coming year on further legislation radically to overhaul the current law of succession.

In 2009, The Commission published a Report on Succession (Scot Law Com No 215): [http://www.scotlawcom.gov.uk/download\\_file/view/390/](http://www.scotlawcom.gov.uk/download_file/view/390/).

The Succession Bill will be the second Commission Bill to be put forward as a candidate for the new streamlined legislative procedure in the Scottish Parliament for Commission Bills.

Lord Pentland, Chairman of the Scottish Law Commission, said:

“The Scottish Law Commission is delighted that the Scottish Government will continue to identify opportunities to make use of the new legislative procedure established to improve the consideration and rate of implementation of Commission reports. The first Bill to take advantage of this procedure, the Legal Writings (Counterparts and Delivery) (Scotland) Bill, is making good progress through the Scottish Parliament at present. The Government has now proposed to put forward a second Bill as a candidate for this procedure, a Succession Bill, which will implement a number of recommendations contained in the Commission’s Report on Succession published in 2009.”.

## Background

### *New Parliamentary process for Commission Bills*

In 2013 the Scottish Parliament decided to provide more Parliamentary time for certain Commission Bills, accepting the recommendations and draft changes to Standing Orders proposed by the Standards, Procedures and Public Appointments Committee. See the [Official Report for 28 May](#). The changes took effect on 5 June 2013.

The Legal Writings (Counterparts and Delivery) (Scotland) Bill is the first Bill to follow the [new procedure](#) for the implementation of Scottish Law Commission reports. It is currently before the Scottish Parliament. The Delegated Powers and Law Reform Committee of the Scottish Parliament approved the principles of the Bill in its Stage 1 Report published on 14 November 2014: <http://www.scottish.parliament.uk/parliamentarybusiness/CurrentCommittees/83660.aspx#e>.

The Bill is based on the Commission Report on Formation of Contract: Execution in Counterpart (Scot Law Com No 231) which was published in April 2013: [http://www.scotlawcom.gov.uk/index.php/download\\_file/view/1345/138/](http://www.scotlawcom.gov.uk/index.php/download_file/view/1345/138/)

## 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 Pentland, a Court of Session judge. The other Commissioners are Laura J Dunlop QC, Patrick Layden QC TD, Professor Hector L MacQueen, and Dr Andrew J M Steven. The Chief Executive is Malcolm McMillan.

2. Further information can be obtained by contacting the Scottish Law Commission, 140 Causewayside, Edinburgh EH9 1PR (Tel: 0131 668 2131, Fax: 0131 662 4900, email: [info@scotlawcom.gsi.gov.uk](mailto:info@scotlawcom.gsi.gov.uk)).

3. The paper may also be viewed on our website at <http://www.scotlawcom.gov.uk/> or purchased from TSO (<http://www.tsoshop.co.uk/>).