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The Hon Lord Drummond Young
Scottish Law Commission
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Dear Lord Drummond Young,

You may recall that my predecessor, Fergus Ewing MSP, wrote to you on 23 March 2010 to welcome the publication of the joint report of the Law Commission and the Scottish Law Commission on *Consumer Insurance Law: Pre-Contract Disclosure and Misrepresentation* (Law Com No 319, Scot Law Com No 219).

In his letter, which was copied to Ministers in the UK Government, Fergus acknowledged the validity of the concerns which were identified in the report, indicated support for the overall thrust of the Commissions' recommendations and expressed the hope that, in relation to these reserved matters, the UK Government would accord real priority to reform. In doing so, he stressed that this country already has some world-class insurance companies offering an excellent service to consumers and that a key driver for new legislation should be a desire to build on best practice and support its exemplars.

Against that background, I was very pleased to note that, founded on the recommendations made by the Commissions, the UK Government has indeed taken forward legislation in this area and that it was passed at Westminster earlier this month. I have written to the relevant Treasury Minister to welcome this progress and to register the Scottish Government's view that – while, for good reasons, the legislation cannot be brought into force for at least a year – implementation should be delayed no more than absolutely necessary.

At this point, I thought it appropriate to repeat the Scottish Government's appreciation of the thorough preparatory work done by the Commissions. It seems to me that this legislation, and the benefits that consumers and insurers should in due course reap as a result of it, would not have come about so quickly if your research and report had not identified the actual problems and potential solutions so clearly. This was a job well done.

I am copying this letter to Lord Justice Munby, Chairman of the Law Commission.

Yours
R. Cunningham

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