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**PROGRESS ON IMPLEMENTATION OF THE SCOTTISH LAW COMMISSION  
REPORTS IN RESERVED AREAS OF SCOTTISH LAW**

Further to my letter of 13 November 2012, I am writing to update you on further progress made by the Government in implementing the recommendations of the Scottish Law Commission (in partnership with the Law Commission for England and Wales, or otherwise) pertaining to reserved areas of Scots law.

I am issuing this update to coincide with the third annual report to Parliament on the implementation of the Law Commission proposals, pursuant to section 3A of the Law Commissions Act 1965 as amended by section 1 of the Law Commission Act 2009. Future updates on progress in implementation will also be sent to you to coincide with these reports.

I am pleased to inform you that additional progress has been made across the two areas outlined as below:

**Partnership Law (2003 & 2011)**

These reports recommended the weaving together of the law on general and limited partnerships, with changes to general partnership law and to the law specifically relating to limited partnerships. A general partner manages the business, while the limited partner is not involved in management and has limited liability. The recommendations clarify and modernise the law on limited partnerships, which has been little changed since its introduction in 1907. They also considered the criminal liability of partnerships.

Following the recommendations made in December 2011 by the Scottish Law Commission in its Report on Criminal Liability of Partnerships, the Partnerships (Prosecutions) (Scotland) Bill has been introduced into Parliament and has completed its Second Reading in the House of Lords. The principle intention of this reform is to address a loophole in Scots Law that allows partnership to escape prosecutions for potentially serious offences by dissolving.

**Statute Law (Repeals) (2012)**

The 19<sup>th</sup> Statute Law Repeals Bill will implement the Commissions' recommendations published in the report of 4 April 2012. The report identified whole Acts, covering a wide range of both devolved and reserved matters that are either obsolete or no longer of any practical use.

The Bill continues to make good progress through Parliament. A Legislative Consent Motion was passed by the Scottish Parliament in respect of the Bill on 27 November and the Bill is expected to complete its remaining stages and obtain Royal Assent before the end of the Parliamentary session.

I hope you find this update useful and please do not hesitate to ask if you need to clarify any of the above further. I very much look forward to working closely with the Scottish Law Commission in progressing these recommendations and, in future, other important and much needed law reforms.

I am copying this letter to the Chairman of the Law Commission for England and Wales, Lord Justice Lloyd Jones, the Secretary of State for Scotland and the Advocate General. I am also placing a copy of this letter in the House libraries



**HELEN GRANT**