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Lady Paton
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Via: Ann.Paton@scotlawcom.gov.uk

27 October 2021

Dear Lady Paton

Scottish Law Commission Report on Trust Law

I would like to thank the Commission for its work on reform of trust law which resulted in a significant number of recommendations, which can be found in its Report on Trust Law. After initial consideration, the Scottish Government has begun detailed work on this report.

As you are probably aware, in the recent Programme for Government – published on 7 September 2021 – the Scottish Government set out its ambition for a longer-term programme of implementation of Scottish Law Commission reports to be introduced this session of the Scottish Parliament. Consideration of the implementation of the Report on Trust Law was included as part of that ambition alongside judicial factors, title conditions, contract law, cohabitation, and damages for personal injury.

The Scottish Government will be seeking to take forward recommendations in the Report on Trust Law in the course of this parliamentary session. With the exception of moveable transactions - which you will know from the Programme for Government statement is the first Commission Bill to be introduced at this time – reform of trust law has been given priority from amongst the aforementioned list of Commission reports.

The timing and content of each legislative programme is, of course, a matter for Cabinet to decide as part of the development of the annual Programme for Government. I will continue to consider whether and when there would be a suitable opportunity to take forward the recommendations contained in the report as other commitments allow.

Tha Ministearan na h-Alba, an luchd-comhairleachaidh sònraichte agus an Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh www.lobbying.scot

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I have taken the opportunity to send a copy of this letter to Joe FitzPatrick MSP, Convener of the Equalities, Human Rights and Civil Justice Committee, and Stuart MacMillan, Convener of the Delegated Powers and Law Reform Committee, both of whom have an interest in implementation of Scottish Law Commission reports.



ASH REGAN

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