



# Scottish Law Commission

*60 years of promoting law reform*

**Summer 2025**

**e-bulletin**

**Keeping you up to date with Scottish Law Commission news and publications**

## Welcome

Welcome to the Scottish Law Commission's regular bulletin. We aim to keep you informed about what we have been up to and what we have coming up.

Our current law reform projects are listed below. Some are mentioned later in this Bulletin. For further information on any particular project please click on the [link](#).

## 60 Years of Promoting Law Reform

15 June 2025 was the 60<sup>th</sup> anniversary of the Scottish Law Commission. The Law Commissions Act 1965 which established the Scottish Law Commission and the Law Commission of England and Wales received Royal Assent on 15 June 1965. We have been celebrating all that the Commission has achieved with thanks to all those who have contributed. We are also challenging ourselves to learn and improve as we look to the future.

### Conference: Law Reform – Shaping Society?

On Friday 13 June 2025, we held a conference entitled “Law Reform – Shaping Society?” at Edinburgh Law School to celebrate the Commission's 60<sup>th</sup> anniversary. We were pleased to be joined by guests in person and online.



Lord Hodge, Deputy President of the UK Supreme Court, opened the day by commending the comprehensive, independent and collaborative nature of the Law Commissions' work. This was followed by discussion of the Commission's contribution to commercial & property law (Dr Alisdair MacPherson, University of Aberdeen) and family law (Lady Wise, President of Scottish Tribunals and Senator of the College of Justice). Professor James Lee of King's College London wrapped up the conference with his thought-provoking presentation on what law reformers, including the Commission, can learn from the Scottish experience.

We are grateful to our speakers and to Edinburgh Law School for hosting the event.

### Debate in Scottish Parliament

On 11 June 2025 the Scottish Parliament debated a motion lodged by Stuart McMillan, Convenor of the Delegated Powers and Law Reform Committee congratulating all of the commissioners and staff of the Scottish Law Commission, past and present, on its 60th anniversary. We very much appreciated the thoughtful comments and praise from MSPs and the Minister for Victims and Community Safety, with a range of work of the Commission being highlighted. The debate can be viewed [here](#).

### #60Billsfor60Years

This social media campaign is spotlighting 60 bills derived from Commission reports that have helped to transform the law of Scotland. Follow the campaign on [X](#) or [LinkedIn](#).

## News

### Commissioner re-appointed



We were delighted that [Professor Black was re-appointed as a Commissioner](#) until 21 April 2028. The appointment was announced by the Minister for Victims and Community Safety, Siobhian Brown MSP in February 2025. Professor Black is leading our work on family law and executry law.

# Recent publications

## Report on Damages for Personal Injury

As reported in our winter bulletin 2024, we [published](#) our Final Report and draft Damages (Scotland) Bill on 4 December 2024. The Minister [wrote](#) to the Commission on 15 May 2025 saying that she is supportive of the general approach set out in the Report, including the recommendations regarding the Prescription and Limitation (Scotland) Act 1973 and asymptomatic asbestos-related conditions.

## Report on Aspects of Leases: Tenancy of Shops (Scotland) Act 1949

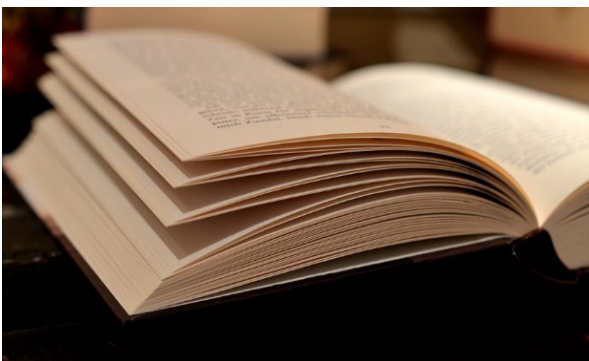
On 18 February 2025, we [published](#) a report recommending the repeal of the Tenancy of Shops (Scotland) Act 1949 on the basis that it is an outdated piece of legislation that does not work for the small businesses that it was intended to benefit.



In April 2025, David Bartos, who was the lead Commissioner for this report, finished his term as Commissioner having been also been involved in the reports on [Aspects of Leases: Termination](#) and a Joint Report with the Law Commission of England and Wales on [Automated Vehicles](#).

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# Current programme of law reform and projects



- [11<sup>th</sup> Programme of Law Reform](#)
- [Executry law](#)
- [Execution of documents](#)
- [Heritable securities](#)
- [Compulsory owners' associations \(tenements\)](#)
- [Homicide](#)
- [Aspects of family law](#)

# Updates

In the next twelve months we hope to publish:

- Our final Report and recommendations on the homicide law project;
- Our final Report and recommendations on the compulsory owners' associations: tenements project;
- A discussion paper relating to the execution of documents project.

## Executry law

A review of executry law was announced in the Commission's Eleventh Programme of Law Reform. Professor Gillian Black has started work on this project. We are keen to engage with stakeholders who might be affected by the subject matter of this project, and who wish to contribute. For further information and enquiries, please contact [info@scotlawcom.gov.uk](mailto:info@scotlawcom.gov.uk)

# Implementation

## Moveable Transactions (Scotland) Act 2023

The [Moveable Transactions \(Scotland\) Act 2023](#) came into force on 1 April 2025. This Act is based on a [Commission Report](#) from 2017. This Act will lead to significant advances in the way businesses and individuals can use their moveable property (i.e. property other than land and buildings) to access finance.

## Judicial Factors (Scotland) Act 2025

The [Judicial Factors \(Scotland\) Act 2025](#) received Royal Assent on 27 January 2025. This Act is based on a [Commission report](#) from 2013. A judicial factor is an officer appointed by the court to collect, hold and administer property in accordance with the relevant law, and all judicial factors are supervised by the Accountant of Court. We look forward to the implementation of this Act in due course.

## Leases (Automatic Continuation etc.) (Scotland) Bill

The [Leases \(Automatic Continuation etc.\) \(Scotland\) Bill](#) was introduced on 11 December 2024. This implements the recommendations made by the SLC in the 2022 [Report on Aspects of Leases: Termination](#), SLC No 260. These recommendations relate to the termination of commercial leases including notices to quit, notice periods, irritancy and tacit relocation (automatic continuation). Former Commissioner David Bartos gave evidence on the Bill to the Delegated Powers and Law Reform Committee on 29 April 2025.

## Report on review of contract law: formation, interpretation, remedies for breach, and penalty clauses

We published a [Report on Review of Contract Law: Formation, Interpretation, Remedies for Breach, and Penalty Clauses](#) in 2018. We are delighted that the Scottish Government's Programme for Government **announced** the intention to bring forward a Contract (Formation and Remedies) (Scotland) Bill to

implement the Commission's recommendations to reform aspects of the law of formation and remedies for breach of contract.



### Further information

Further information about the Commission and our law reform work can be found on our website at [www.scotlawcom.gov.uk](http://www.scotlawcom.gov.uk). The website has full text versions of all of our reports and discussion papers as well as other material.

Follow us on X (formerly Twitter): [@scotlawcom](https://twitter.com/scotlawcom) and LinkedIn: [Scottish Law Commission | LinkedIn](https://www.linkedin.com/company/scottish-law-commission/) and see [videos](#) about the Commission and our work.

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