

13 February 2018

Bob Doris MSP
Convener of the Local Government and
Communities Committee
T3.60
The Scottish Parliament
Edinburgh
EH99 1SP



Your ref:
Our ref:

Dear Mr Doris,

SCOTTISH LAW COMMISSION: TENTH PROGRAMME OF LAW REFORM

Thank you for your letter dated 7 February 2018 on behalf of the Local Government and Communities Committee inviting the Commission to consider a law reform project to modernise the law of common good property and funds. We are always pleased to hear from a Committee of the Scottish Parliament about areas of the law that may require reform.

In the course of last year we consulted widely on topics for inclusion in our Tenth Programme of Law Reform. I should say that one consultee did raise the issue of common land and common good as a potential law reform project.

Our consultation closed at the end of July last year. We received a large number of interesting suggestions. We considered all of the consultation responses carefully. In choosing projects, we applied our selection criteria in order to put together a balanced Programme. Thereafter we engaged in discussions with Scottish Government officials on potential projects for the Programme. Following these discussions, the Commission submitted to Scottish Ministers a draft Tenth Programme of Law Reform for approval, as we are required to do under the Law Commissions Act 1965. We took the view that there was inadequate support for a project on the law of common good property and funds, and that other topics had to be given higher priority.

We expect that the Tenth Programme, as approved by Ministers, will be laid before the Scottish Parliament in the next few weeks and announced by Ministers. When the Programme is published, I will send you a link to it.



In the meantime, may I thank you again for your interest in law reform and in the work of the Commission.

Yours sincerely,

LORD PENTLAND