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LEGAL WRITINGS (COUNTERPARTS AND DELIVERY) SCOTLAND BILL- STAGE ONE REPORT

I would like to thank the Committee for their very thorough and considered Stage One Report on the Legal Writings (Counterparts and Delivery) (Scotland) Bill. In particular I am pleased to note the Committee's recommendation that the general principles of the Bill be agreed to and the very positive nature of the Report as summarised in the Conclusions and Recommendations.

There are 2 points I would like to specifically respond to. The first relates to the Committee's suggestion that "wherever possible, statistical evidence should be provided with Scottish Law Commission Bills". I am certainly happy to look at how this may be achieved for future Scottish Law Commission Bills, always recognising that, as was the case with this Bill, sometimes no such statistical evidence is available and gathering it from scratch may not be straightforward.

The second point I would like to comment on was my commitment at the Stage One evidence session to take account of any further suggestions by the Faculty of Advocates on how the risk of fraud or error may be reduced. I can confirm that at this time I have not had any further correspondence with the Faculty but should they make any suggestions I will of course give them proper consideration.

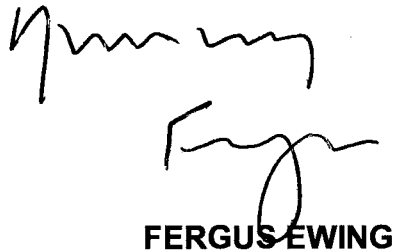
I would also like to take this opportunity to provide an update on my undertaking given at the Stage One evidence session to write to the Keeper with a view to providing the Committee with further information relating to the creation of an electronic document repository – an electronic facility for the electronic execution (signing) and preservation (holding) of electronic documents - which might be provided by Registers of Scotland. I have done so and the Keeper has indicated that she would welcome discussion on this matter and



anticipates being in a position to engage in preliminary discussions with the Scottish Government early next year. We look forward to those discussions in due course.

Finally, we had reserved our position on whether or not to bring forward any amendments to the Bill at Stage Two, until we had the benefit of the Stage One Report. While we will continue to reflect on the Report I can however confirm that, at this time, we are not minded to lodge any Stage Two amendments.

I hope this response is of some assistance to the Committee.



FERGUS EWING