



T: 0300 244 4000
E: scottish.ministers@gov.scot

Bill Kidd MSP
Deputy Convener
Delegated Powers and Law Reform Committee

DPLR.Committee@parliament.scot

5 October 2022

Deputy Convener,

Thank you for your letter of 29 September in which you sought an update on the current position in relation to the Scottish Government's request to the UK Government for the grant of an Order under section 104 of the Scotland Act 1998 so that the full extent of the Scottish Law Commission's proposals on Moveable Transactions might be taken forward. This is specifically in order that the provisions of the Moveable Transactions (Scotland) Bill may be applied to financial instruments and shares.

My officials have contacted the Scotland Office to ask what progress they are making in their assessment of the need for a section 104 Order. Scotland Office officials have indicated that they have yet to complete their assessment because they and the Office of the Advocate General are very busy at present and the law on the issue in relation to which we are seeking the section 104 Order is very technical and complex.

I will of course keep the Committee informed of the outcome when we have received a substantive response from the Scotland Office.

TOM ARTHUR

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

