

This document relates to the Solicitors in the Supreme Courts of Scotland (Amendment) Bill (SP Bill 55) as introduced in the Scottish Parliament on 26 September 2019

Solicitors in The Supreme Courts of Scotland (Amendment) Bill

Promoter's Statement

Introduction

1. As required under Rule 9A.2.3(d) of the Scottish Parliament's Standing Orders, this Promoter's Statement has been prepared by the promoter, the Society of Solicitors in the Supreme Courts ("the SSC Society"). It is published by the Parliament to accompany the Solicitors in the Supreme Courts of Scotland (Amendment) Bill introduced in the Parliament on 26 September 2019.

2. The following other accompanying documents are published separately by the Parliament:

- statements on legislative competence by the Presiding Officer and the promoter (SP Bill 55–LC);
- Explanatory Notes (SP Bill 55–EN);
- a Promoter's Memorandum (SP Bill 55–PM).

3. See below for information about where these documents, and other documents that are relevant to the Bill (but are not accompanying documents), can be inspected or purchased.

Notification to persons with interest in heritable property

4. The Bill does not include any provision affecting heritable property. Accordingly, Rule 9A.2.3(d)(i) of the Standing Orders of the Scottish Parliament does not apply. The tenants of the Society who have

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agreements of let in regard to parts of the building owned by the Society will be sent as a matter of courtesy intimation of the Bill and the accompanying documents.

Notification to and consent from Members etc.

5. This part of the Statement is provided under Rule 9A.2.3(d)(ii) of the Parliament's Standing Orders. That Rule applies to the Bill because the promoter is a body corporate. The whole membership of the Society had been sent a Strategic Options Paper in October 2017 and, after a discussion, a revised version in December 2017. On 16 May 2018 a memorandum was sent to Council members with a copy of the draft Bill, draft Explanatory Notes for the proposed Bill, a draft Promoter's Memorandum and draft Promoter's Statement.

6. A full range of papers was sent either by email or by ordinary post on 4 June 2019 for the statutory meeting on 2 July 2019. A supplementary note on the intended SSC Bill was also sent to Members explaining the broad purpose of the additional sections for the 1871 Act. These were considered by the Council of the SSC Society and thereafter the Members Meeting, both on 2 July 2019.

7. The supplementary note referred to included the following motion that was agreed to by the Members present. No objections to that motion were stated by those present, nor have any objections in principle been received from Members who did not attend the meeting. The motion reads as follows:

“The Office-Bearers and the Members of the Society of Solicitors in the Supreme Courts of Scotland are agreed that the proposed new legislation should be placed before the Scottish Parliament for consideration both to consolidate the existing and dated Act of 1871 as amended in 1979, and also to introduce for consideration of the Society additional powers in regard to the Widows' Fund and the best arrangements of the assets in that regard.”

Notification to and consent from body affected

8. The Bill does not contain any provision conferring powers upon or modifying the constitution of a body corporate or unincorporated

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association named in the Bill but not being the promoters. Accordingly, Rule 9A.2.3(d)(ii) does not apply.

Advertisement of intention to introduce the Bill

9. Notice of the intention to introduce the Bill was published in The Scotsman on 8 August 2019. The advertisement stated:

Proposed Private Bill

The Society of Solicitors in the Supreme Courts of Scotland intends to promote a Private Bill in the Scottish Parliament. The Solicitors in the Supreme Courts of Scotland (Amendment) Bill will amend existing private legislation from 1871 to the extent only of making new provisions for the internal management of the society, principally to give the Society new powers including to close an existing fund for dependants or to wind up the Society. It is anticipated that the Bill will be introduced in September 2019. Further information about the Bill may be obtained from: The Secretary, The SSC Society, SSC Library, Parliament House, Edinburgh EH1 1RF or at www.ssclibrary.co.uk. Information about the Parliamentary process (including how to lodge an objection) can be obtained from NGBU, the Scottish Parliament, Edinburgh EH99 1SP or on the Scottish Parliament website (www.parliament.scot) under Parliamentary Business / Bills / Bills Explained / Private Bills.

10. The advertisement has been displayed from around the same date in the following public libraries (one in each local authority area):

1. Falkirk Council

The Public Library, Hope Street, FALKIRK, FK1 5AU

2. North Lanarkshire Council

The Public Library, 35 Hamilton Road, MOTHERWELL, ML1 3BZ

3. South Lanarkshire Council

The Public Library, 102 Cadzow Street, HAMILTON, ML3 6HH

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4. Glasgow City Council

The Public Library, 348 Byres Road, Hillhead, GLASGOW, G12 8AP

5. East Renfrewshire Council

The Public Library, Station Road, GIFFNOCK, G46 6JF

6. Highland Council

The Public Library, Farraline Park, INVERNESS, IV1 1NH

7. Moray Council

The Public Library, Cooper Park, ELGIN, IV30 1HS

8. Orkney Islands Council

The Public Library, Junction Road, KIRKWALL, Orkney, KW15 1AG

9. Shetland Islands Council

The Public Library, Lower Hillhead, LERWICK, Shetland, ZE1 0EL

10. Comhairle nan Eilean Siar

The Public Library, 15 Cromwell Street, STORNOWAY, Isle of Lewis, HS1 2DR

11. City of Edinburgh Council

The Central Library, George IV Bridge, EDINBURGH, EH1 1EG

12. West Lothian Council

The Public Library, Tam Dalyell House, High Street, LINLITHGOW, EH49 7EZ

13. East Lothian Council

The Public Library, 10 Bridge Street, MUSSELBURGH, EH21 6AG

14. Midlothian Council

The Public Library, 1 White Hart Street, DALKEITH, EH22 1AE

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15. Perth and Kinross Council

The AK Bell Library, 17 York Place, PERTH, PH2 8EP

16. Fife Council

The Carnegie Library, 1-7 Abbot Street, DUNFERMLINE, KY12 7NL

17. Stirling Council

The Public Library, 3 Corn Exchange Road, STIRLING, FK8 2HX

18. Clackmannanshire Council

The Public Library, Spiers Centre, Primrose Place, ALLOA, FK10 1JJ

19. Aberdeen City Council

The Central Library, Rosemount Viaduct, ABERDEEN, AB25 1GW

20. Aberdeenshire Council

The Library, High Street, BANFF, AB45 1AE

21. Dundee City Council

The Public Library, The Wellgate, DUNDEE, DD1 1DB

22. Angus Council

The Public Library, 50 West High Street, FORFAR, DD8 1BA

23. South Ayrshire Council

The Carnegie Library, 12 Main Street, AYR, KA8 8ER

24. North Ayrshire Council

The Public Library, 168 High Street, IRVINE, KA12 8AN

25. Dumfries and Galloway Council

The Ewart Library, Catherine Street, DUMFRIES, DG1 1JB

26. Scottish Borders Council

The Public Library, North Bridge Street, HAWICK, TD9 9QT

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27. Argyll and Bute Council

The Public Library, Manse Brae, LOCHGILPHEAD, PA31 8QZ

28. Inverclyde Council

The Watt Library, Union Street GREENOCK, PA16 8JH

29. West Dunbartonshire Council

The Public Library, 13-15 Strathleven Place, DUMBARTON, G82 1BD

30. Renfrewshire Council

The Central Library, 68 High Street, PAISLEY, PA1 2BB

31. East Ayrshire Council

The Dick Institute, Elmbank Avenue, KILMARNOCK, KA1 3BU

32. East Dunbartonshire Council

The Public Library, 2 West High Street, KIRKINTILLOCH, G66 1PN

Inspection and purchase of documents

11. Under Rule 9A.2.3(d)(iv), the promoter is obliged to make available for inspection or purchase any document relevant to the Bill. The documents in this category are:

- the 1871 Act (as amended by the Solicitors in the Supreme Courts of Scotland (Amendment) Order Confirmation Act 1979), and
- the book by Dr J.B. Barclay, "The SSC Story: 1784-1984. Two Hundred Years of Service in The College of Justice" (Edinburgh: The Edina Press, 1984).

12. These may be inspected free of charge along with the copies of the new Bill and accompanying documents at the SSC Library, Parliament House, Edinburgh EH1 1RF. Copies of the 1871 Act (as amended) as well as the book by Dr Barclay may be purchased from the Librarian at the SSC Library: the Acts are available at £1 each per copy and the book at £10 per copy.

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13. Copies of the Bill and accompanying documents, together with a copy of the 1871 Act (as amended) and the book by Dr J.B. Barclay, "The SSC Story: 1784-1984. Two Hundred Years of Service in The College of Justice" (Edinburgh: The Edina Press, 1984), may also be inspected at the eight following premises (one in each of the Scottish Parliament regions):

Central Scotland

The Public Library, Hope Street, FALKIRK, FK1 5AU

Glasgow

The Public Library, 348 Byres Road, Hillhead, GLASGOW, G12 8AP

Highlands and Islands

The Public Library, Farraline Park, INVERNESS, IV1 1NH

Lothian

The Central Library, George IV Bridge, EDINBURGH, EH1 1EG

Mid-Scotland and Fife

The AK Bell Library, 17 York Place, PERTH, PH2 8EP

North East Scotland

The Central Library, Rosemount Viaduct, ABERDEEN, AB25 1GW

South Scotland

The Carnegie Library, 12 Main Street, AYR, KA8 8ER

West Scotland

The Public Library, Shaw Road, BRODICK, Arran, KA27 8DW

14. On 25 September 2019, the following statement was made:

"We, the Society of Solicitors in the Supreme Courts of Scotland, hereby undertake to send copies of any documents that are relevant to the Solicitors in the Supreme Courts of Scotland (Amendment) Bill but are not accompanying documents to the premises to which the Bill and accompanying documents are to be sent by the Clerk under Rule 9A.4.2."

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Undertaking to pay costs

15. On 25 September 2019, the following statement was made:

“We, the Society of Solicitors in the Supreme Courts of Scotland, hereby undertake to pay any costs that may be incurred by the Scottish Parliamentary Corporate Body during the passage of the Solicitors in the Supreme Courts of Scotland (Amendment) Bill in respect of the matters determined by that Body under Rule 9A.2.3(d)(vi) of the Parliament’s Standing Orders.”

Assignment of copyright

16. On 25 September 2019, the following statement was made:

“We, the Society of Solicitors in the Supreme Courts of Scotland, hereby assign to the Scottish Parliamentary Corporate Body copyright in the promoter’s statement on legislative competence, the Explanatory Notes, the Promoter’s Memorandum and the Promoter’s Statement accompanying the Solicitors in the Supreme Courts of Scotland (Amendment) Bill.”

Licensing agreement

17. On 25 September 2019, the following statement was made:

“We, the Society of Solicitors in the Supreme Courts of Scotland, hereby license the Scottish Parliamentary Corporate Body to use or reproduce as may be required for the Parliament’s purposes any document which is relevant to the Solicitors in the Supreme Courts of Scotland (Amendment) Bill but is not an accompanying document and which is submitted by the promoter to the Clerk on introduction or subsequently.”

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www.parliament.scot

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www.parliament.scot/documents