

The Law Commission

(LAW COM. No. 78)

ELEVENTH ANNUAL REPORT

1975-1976

*Laid before Parliament by the Lord High Chancellor
pursuant to section 3(3) of the Law Commissions Act 1965*

*Ordered by The House of Commons to be printed
18th January 1977*

LONDON
HER MAJESTY'S STATIONERY OFFICE

70p net

The Law Commission was set up by section 1 of the Law Commissions Act 1965 for the purpose of promoting the reform of the law.

The Commissioners are—

The Honourable Mr. Justice Cooke, *Chairman*.
Mr. Stephen Edell.
Mr. Derek Hodgson, Q.C.
Mr. Norman S. Marsh, Q.C.
Dr. Peter M. North.

The Secretary of the Law Commission is Mr. J. M. Cartwright Sharp and its offices are at Conquest House, 37–38 John Street, Theobalds Road, London WC1N 2BQ.

THE LAW COMMISSION
ELEVENTH ANNUAL REPORT: 1975-1976

CONTENTS

	<i>Paragraph</i>	<i>Page</i>
INTRODUCTION	1	1-3
Some Features of the Past Year's Work	1	1-2
Human Rights	5	2
Law Reform and the Social Sciences	6	2-3
Parliamentary Draftsmen	9	3
Arrangement of this Report	10	3
 PART I: LAW REFORM PROGRAMMES: REPORT ON PROGRESS	 11	 4-8
General	11	4
Item I: Examination of the Law of Contract	12	4
Item VIII: Codification of the Law of Landlord and Tenant	16	4-5
Item IX: Transfer of Land	17	5
(a) Rights appurtenant to land	17	5
(b) Land registration	18	5
(c) Charging orders	19	5
Item XVII: Interpretation of Statutes	20	5
Item XVIII: Codification of the Criminal Law	21	5-6
Item XIX: Family Law	28	6-7
Family property	28	6
Matrimonial proceedings in magistrates' courts	29	6
Declarations as to status	30	6
Conflicts of jurisdiction affecting children	31	6-7
Affiliation proceedings and the law relating to illegitimate children.	32	7
Item XXI: Private International Law	33	7-8
Obligations	33	7
Conflicts of law in respect of marriage	35	7-8
The law applicable to matrimonial property	36	8
The law applicable to agency	37	8

	<i>Paragraph</i>	<i>Page</i>
PART II:	LAW REFORM OUTSIDE THE PRO-	
	GRAMMES	38 9-10
	Administrative Law	38 9
	Agency (E.E.C. Draft Directive on Com- mercial Agency)	39 9
	Agency (Incapacitated Principal)	40 9
	Breach of Confidence	41 9
	Foreign Money Liabilities	42 9
	Interest	43 9
	International Administration of the Estates of Deceased Persons	44 9-10
	Products Liability	45 10
	Trespassers—Civil Liability of Occupiers	47 10
PART III:	STATUTE LAW GENERALLY	48 11-12
	Consolidation	48 11-12
	Statute Law Revision	52 12
	Private Acts	56 12
PART IV:	GENERAL	57 13-15
	Membership of the Commission	57 13
	Staff	58 13
	Library	59 13
	Relations with Lawyers in the United Kingdom	61 13-14
	Relations with Lawyers Overseas	65 14-15
APPENDIX 1:	List of the Law Commission's Publications	16-22
APPENDIX 2:	Implementation of the Law Commission's Legislative Proposals	23-26
APPENDIX 3:	Membership of Advisory Bodies	27

THE LAW COMMISSION

ELEVENTH ANNUAL REPORT: 1975-1976

*To the Right Honourable the Lord Elwyn-Jones,
Lord High Chancellor of Great Britain*

We have the honour to present our Eleventh Annual Report pursuant to section 3(3) of the Law Commissions Act 1965. The Report deals with the period 19 November 1975 to 23 November 1976.

INTRODUCTION

Some Features of the Past Year's Work

1. Among the achievements of a productive year, we think three deserve to be selected for special mention. The first is our *Report on conspiracy and criminal law reform*¹. The second is our *Report on matrimonial proceedings in magistrates' courts*². The third is our *Report on remedies in administrative law*³.

2. Our *Report on conspiracy and criminal law reform* contains major proposals for the codification and reform of the law of criminal conspiracy. It represents a significant step forward in our work on the criminal law, and it illustrates how reform and codification go hand in hand. It also demonstrates, we hope, that the Law Commission's technique of working papers and widespread consultation preceding a report can assist in the production of practical proposals on delicate and controversial topics.

3. Our *Report on matrimonial proceedings in magistrates' courts* proposes radical reforms of the law relating to domestic proceedings before justices. It aims to produce an enlightened system which accords with modern requirements. Special emphasis is laid on the need for provisions to safeguard the interests of children. Important new powers are recommended to enable justices to afford protection against domestic violence. The scope of the recommendations has made it necessary for us to propose numerous changes in a diffuse and complex body of statute law; and the Bill which we propose contains sixty clauses.

4. Our *Report on remedies in administrative law* proposes a new and flexible procedure for obtaining the prerogative remedies of mandamus, prohibition and certiorari and for obtaining declarations and injunctions in public matters. (The provision of a new procedure for obtaining such declarations and injunctions would not, however, prevent any party who wished to do so from

¹ Law Com. No. 76, published on 17 March 1976.

² Law Com. No. 77, published on 20 October 1976.

³ Law Com. No. 73, published on 25 March 1976.

seeking these remedies by an action commenced in the traditional manner.) The report includes proposals for simplifying and rationalising the rules relating to *locus standi* and for liberalising the powers of the court in regard to time limits, other than those imposed directly by statute. We believe that these procedural reforms will increase the efficaciousness of the existing public law remedies, and, thanks to your prompt and favourable response to the report, we understand there is a good prospect of seeing the reforms implemented by rules of court at an early date.

Human Rights

5. Our report on the procedural aspects of the existing remedies in administrative law has been produced against the background of a wider debate on what the nature and scope of those remedies should be. That debate, in its turn, has affinities with the debate which is now proceeding as to the desirability of legislation on human rights. The discussion document published by the Government in June of this year canvasses broad questions as to the possibility of enacting a domestic Bill of Rights and as to the relationship of such a Bill to the European Convention on Human Rights. Any such legislation would be a major measure of law reform and would closely affect many aspects of our work. We shall follow the development of the discussion with attention since the issues involved have a direct bearing on our own duties and responsibilities.

Law Reform and the Social Sciences

6. During the year we have held exploratory discussions with representatives of the Committee on Social Sciences and the Law of the Social Science Research Council with the object of informing ourselves further about the nature of the contribution that social scientists can make to the processes of law reform. Some of the results of research by social scientists are, of course, of immediate practical value in considering particular problems of law reform. The *Report of the Committee on One-Parent Families*⁴ abundantly illustrates this proposition. The social research findings in that report were helpful to us in the preparation of our own *Report on matrimonial proceedings in magistrates' courts*⁵. A further example of research which is of immediate practical value to law reform is the research into the working of the Queen's Bench Divisional Court by the Legal Research Unit at Bedford College, London. This work provided useful material for our *Report on remedies in administrative law*⁶. When results of this kind are available to us, we make use of them with alacrity, and it is our earnest desire that there should be a copious fund of such material for use as and when it is required, and that it should be of the highest quality.

7. But the social scientist, considered as a contributor to law reform, has a wider role to play than that of a producer of research material which can be made use of in particular law reform projects. In so far as he is concerned with the philosophy of his subject, his contribution to law reform is likely to be indirect; he will achieve his results in the long term by influencing the climate of opinion rather than in the short term by influencing a particular decision on a particular problem. These are considerations which we have to bear in

⁴ (1974) Cmnd. 5629.

⁵ Law Com. No. 77.

⁶ Law Com. No. 73; see paras. 4, 37 and 38 of that report.

mind in assessing the relationship between law reform and the social sciences. Meanwhile, we hope to continue our helpful dialogue with the Committee for Social Sciences and the Law.

8. We are pleased to hear of a proposal for a family law research programme to be conducted by a working group under the auspices of the Department of Social Work and Administration of the University of Bristol. We shall follow the progress and study the results of this project with interest. We believe that independent initiatives of this kind, conducted under responsible and expert direction, should have a considerable future.

Parliamentary Draftsmen

9. Under the arrangements in contemplation for the forthcoming year we shall have seconded to us only one full-time draftsman of senior rank, in addition to a number of full-time juniors. We shall have the services of other senior draftsmen on a part-time basis; and in addition we have two draftsmen employed on statute law revision. We remain convinced, however, that a minimum of two full-time senior draftsmen should be seconded to us in addition to those senior draftsmen who are able to serve part-time.

Arrangement of this Report

10. Part I of this Report contains a detailed progress report on items in our law reform programmes; Part II gives an account of work done on law reform outside our programmes; Part III reviews the work done in the field of consolidation, statute law revision, and statute law generally; and in Part IV we outline briefly the year's developments in the organisation and other activities of the Law Commission. In Appendix 1 we set out lists of the Commission's papers which have been (a) published by the Commission as working papers or (b) laid before or presented to Parliament as reports. In Appendix 2 we summarise in tabular form the extent to which our legislative proposals have been implemented by Parliament, and in Appendix 3 we give the membership of advisory bodies set up during the year or set up during previous years and still functioning but with substantially altered membership.

PART I

LAW REFORM PROGRAMMES: REPORT ON PROGRESS

11. Items I, VIII, IX and XVII, mentioned below, derive from our *First Programme of Law Reform*, Items XVIII and XIX from our Second and Item XXI from our Third. In the following Progress Report we omit items which have been merged in others and those on which work was completed before the beginning of the period under report.

Item I. Examination of the Law of Contract

12. We are preparing further working papers on particular aspects of the English Law of Contract with a view to determining whether, and if so what, amendments of general principle are required. This year we have published one such paper; it is the fifth in this series and is concerned with the parol evidence rule⁷. Among the earlier papers in this series was one on contribution⁸ and work on this subject is now nearing completion; our report and draft Bill will, we expect, be submitted soon.

13. The comments received in response to our working papers on *Firm offers*⁹, *Penalty clauses and forfeiture of monies paid*¹⁰ and *Pecuniary restitution on breach of contract*¹¹ are being analysed. It would be premature to reach any conclusions on the subject of penalty clauses in advance of the completion by the Council of Europe of their work on this subject.

14. Work on misrepresentation and minors' contracts has now reached a fairly advanced stage and we hope eventually to publish working papers on both subjects. Work on the law relating to consideration is proceeding.

15. On 6 January 1976 we informed you that we intended to initiate a review of implied terms in contracts for the supply of goods otherwise than by sale or hire-purchase. Our work on this topic is well advanced and a working paper will be published soon.

Item VIII. Codification of the Law of Landlord and Tenant

16. Work is continuing on the two remaining interim reports, each with draft clauses annexed, which (when taken with the report submitted last year¹²) will contain a substantial proportion of the reforms we are likely to advocate in the Code of the Law of Landlord and Tenant. These reports will deal with the termination of tenancies and with covenants against assignment, alterations and change of use. Because of the magnitude of the task of codification we

⁷ Working Paper No. 70, published on 2 November 1976.

⁸ Working Paper No. 59.

⁹ Working Paper No. 60.

¹⁰ Working Paper No. 61.

¹¹ Working Paper No. 65.

¹² *Report on obligations of landlords and tenants*; Law Com. No. 67.

have recently decided to allot more resources to this part of our work. We hope that this will enable us to increase the speed with which our reports are produced.

Item IX. Transfer of Land

(a) Rights appurtenant to land

17. We are pleased to say that we have been able to resume work on this topic, which was the subject of a working paper published in 1971¹³. That paper covered a number of separate matters connected with appurtenant rights and, having reviewed the results of consultation, we have placed them in an order of priority with a view to publishing a series of reports over the next few years. First priority has been assigned to the reform of the basis of the law governing positive and restrictive covenants; and the preparation of a report on this subject is now in hand.

(b) Land registration

18. The fourth and last of our series of working papers was published on 14 July 1976¹⁴. It contained a review of the law relating to the protection and priority of derivative interests (and, in particular, of mortgages) of registered land; consultation on the paper is still in progress.

(c) Charging orders

19. Our report on this subject, with a draft Bill appended to give effect to our recommendations, was submitted to you on 16 January 1976¹⁵.

Item XVII. Interpretation of Statutes

20. Together with the Scottish Law Commission, we have put in hand the preparation of an Interpretation Bill. This is designed to replace the Interpretation Act 1889 by a modern code of provisions relating to interpretation. It has been conceived of primarily as a measure of consolidation and statute law revision, but it may also include some amendments and extensions of the existing law. The need for such a measure is not in doubt, and has been referred to both in our report on the *Interpretation of statutes*¹⁶ and in the report of the Renton Committee on *The Preparation of Legislation*¹⁷.

Item XVIII. Codification of the Criminal Law

21. In our *Report on conspiracy and criminal law reform*¹⁸ we dealt with conspiracy generally, conspiracy to trespass and offences of entering and remaining on property, conspiracies relating to public morals and decency, conspiracies to effect a public mischief, conspiracies to commit a civil wrong and contempt of statute.

22. Consultation on our working paper on *Conspiracy to defraud*¹⁹ has continued, and we had a most useful seminar on the subject at All Souls College, Oxford, in April 1976.

¹³ Working Paper No. 36.

¹⁴ Working Paper No. 67.

¹⁵ Law Com. No. 74, published on 26 March; (1976) Cmnd. 6412.

¹⁶ Law Com. No. 21, para. 82.

¹⁷ (1975) Cmnd. 6053, paras. 19.4 to 19.11.

¹⁸ Law Com. No. 76, published on 17 March 1976; see also para. 2 above.

¹⁹ Working Paper No. 56.

23. Having in our report on conspiracy made recommendations in regard to the requirements of the inchoate offence of conspiracy, we have now turned to the consideration of attempts, the second of the inchoate offences upon which we consulted in Working Paper No. 50²⁰.

24. We have started the preparation of a report on offences relating to the administration of justice following the completion of consultation on our working paper on the subject²¹.

25. Work continues on the preparation of a report on some aspects of the mental element in crime.

26. We have continued work on treason and cognate subjects and we have started preparation of a report on the defences of duress and coercion.

27. We are now again actively considering certain aspects of the territorial extent of the criminal law, and consulting further with interested departments.

Item XIX. Family Law²²

Family property

28. Further progress has been made with the third and fourth reports²³ (each with draft clauses) which we are preparing to give effect to the recommendations in our *First report on family property: a new approach*²⁴. One of the two reports will deal with the co-ownership of the matrimonial home and occupation rights in it, and we expect to submit it during the coming year. The other report will deal with the use and enjoyment of household goods.

Matrimonial proceedings in magistrates' courts

29. On 29 June we submitted to you our *Report on matrimonial proceedings in magistrates' courts*²⁵ and annexed to it a draft Domestic Proceedings in Magistrates' Courts Bill.

Declarations as to status

30. Pressure of other work has continued to prevent us from making progress on this topic.

Conflicts of jurisdiction affecting children

31. In collaboration with the Scottish Law Commission and the Northern Ireland authorities we have prepared a joint working paper dealing with the jurisdiction of United Kingdom courts to make custody and wardship orders, the enforcement of such orders in the various parts of the United Kingdom and allied administrative problems. The provisional proposals in the working paper are designed to avoid conflicts of jurisdiction between the courts of the

²⁰ *Inchoate offences: conspiracy, attempt and incitement.*

²¹ Working Paper No. 62.

²² See also paras. 35 and 36 below for work on private international law relating to family law.

²³ Our *Second report on family property: family provision on death* (Law Com. No. 61) was implemented by the Inheritance (Provision for Family and Dependents) Act 1975.

²⁴ Law Com. No. 52.

²⁵ Law Com. No. 77, published on 20 October 1976; see also para. 3 above.

United Kingdom. The working paper²⁶ was circulated for the usual process of consultation in August 1976. It is our intention to publish a second working paper, dealing with the international aspects of the problems of conflicts of jurisdiction affecting the custody of children. The second working paper, which will be prepared in collaboration with the Scottish Law Commission, will include a study of the two draft conventions prepared by the Council of Europe committee of experts on the recognition and enforcement of decisions relating to the custody of children and on an international tribunal to deal with conflicts relating to the custody of children. In preparing the second working paper, the Commissions will be assisted by a Working Party²⁷.

Affiliation proceedings and the law relating to illegitimate children

32. At the beginning of October 1976 we set up a Working Party²⁸ whose terms of reference are "to consider the law relating to illegitimate children and in particular the law relating to affiliation proceedings, and to make recommendations". The first task of the Working Party will be to prepare a draft working paper.

Item XXI. Private International Law

Obligations

33. The Steering Group on Private International Law²⁹ has played a full part in the continuing task of briefing the United Kingdom delegation to the Brussels group of experts which is considering the E.E.C. draft Convention on Contractual and Non-Contractual Obligations. The Steering Group performs this task in collaboration with the United Kingdom delegates themselves³⁰. Briefs are prepared for the use of the delegates and papers are prepared for circulation to the Brussels group. The Brussels group held meetings in December, March and June and will meet again in December 1976.

34. In June, two days of the Ford Legal Workshop at the Institute of Advanced Legal Studies were devoted to aspects of the draft Convention. Members of the Brussels group and those in the two Law Commissions who are concerned with the draft Convention were invited by the Institute to participate in the discussion. We are grateful to the Institute for having organised this helpful exchange of views.

Conflicts of law in respect of marriage

35. The Working Group which we have jointly set up with the Scottish Law Commission³¹ has given advice on the comments submitted by H.M. Government on the Preliminary Draft Convention on the Celebration and Validity of Marriages and on the Recognition of Decisions relating to Marriages adopted

²⁶ Law Commission Working Paper No. 68 and Scottish Law Commission Memorandum No. 23. The membership of the Working Party which assisted us in the preparation of the working paper is shown in Appendix 3 of our *Ninth Annual Report 1973-1974*: Law Com. No. 64.

²⁷ The membership is shown in Appendix 3.

²⁸ The membership of the Working Party is shown in Appendix 3.

²⁹ The membership of the Steering Group is shown in Appendix 3.

³⁰ The United Kingdom delegates are the Honourable Lord Maxwell, Mr. K. M. H. Newman, Professor Aubrey L. Diamond and Mr. R. J. Holmes.

³¹ The membership of this Working Group is shown in Appendix 3 of our *Tenth Annual Report 1974-1975*: Law Com. No. 71.

by the Special Commission of The Hague Conference on Private International Law on 15 October 1975 and by the plenary session of the Conference in October 1976.

The law applicable to matrimonial property

36. The Working Group jointly set up by the two Law Commissions³² has given advice on the comments submitted by H.M. Government on the Preliminary Draft Convention on the Law Applicable to Matrimonial Property Regimes adopted by the Special Commission of The Hague Conference on Private International Law on 16 June 1975 and by the plenary session of the Conference in October 1976.

The law applicable to agency³³

37. We have continued to take part in discussions about the Preliminary Draft Convention on the Law Applicable to Agency which was adopted by the Special Commission of The Hague Conference on Private International Law on 26 November 1975 and considered by the plenary session of the Conference in October 1976.

³² The membership of this Working Group is also shown in Appendix 3 of our last annual report.

³³ See para. 44 of our last annual report.

PART II

LAW REFORM OUTSIDE THE PROGRAMMES

Administrative Law

38. Our report, with draft legislation attached, was published on 25 March 1976³⁴.

Agency (E.E.C. Draft Directive on Commercial Agency)

39. There have been no further developments in the year under report.

Agency (Incapacitated Principal)

40. A working paper³⁵ has been issued and comments have been invited before 1 May 1977.

Breach of Confidence

41. Our consultations on Working Paper No. 58 have recently been completed and we are proceeding to the preparation of a final report.

Foreign Money Liabilities

42. Meetings will be resumed shortly of the Working Party set up by the Scottish Law Commission and ourselves to examine the questions arising when money is due in a currency other than that of the place of payment or the place where payment is sought. It will consider the problem in the light of the decision in *Miliangos v. George Frank (Textiles) Ltd*³⁶.

Interest

43. In response to your reference under section 3(1)(e) of the Law Commissions Act 1965, dated 21 November 1974³⁷, we have published a working paper³⁸ on the law and practice relating to interest on debt (where interest has not been provided for by contract) and on damages. Our provisional proposals for the reform of this branch of the law have produced a wide range of comments from those engaged in industry and commerce as well as from lawyers.

International Administration of the Estates of Deceased Persons

44. As we said in our last annual report³⁹, we have prepared a first draft of our report, recommending what legislation is needed to give effect to the convention on this subject approved by the Twelfth Session of The Hague Conference on Private International Law in October 1972. However, pressure

³⁴ Law Com. No. 73; (1976) Cmnd. 6407; see also para. 4 above.

³⁵ Working Paper No. 69, published on 5 November 1976.

³⁶ (1976) A.C. 443.

³⁷ See para. 50 of our last annual report.

³⁸ Working Paper No. 66, published on 25 May 1976.

³⁹ Law Com. No. 71, para. 51.

of other work has prevented us from making further progress on this topic until recently. We have now restarted work and intend to submit our report with draft clauses as soon as possible.

Products Liability

45. In June 1975 the two Law Commissions published a joint consultative document⁴⁰ which covered the subject of products liability generally but took particular account of a draft convention on the topic that was being prepared under the auspices of the Council of Europe and also of a preliminary draft directive on the same subject that was being prepared by the Commission of the E.E.C. We have received many comments on the joint consultative document and these are now being considered.

46. A member of our legal staff has attended a number of meetings at Strasbourg of the Council of Europe's committees on the liability of producers and has also attended meetings in Brussels of a group of experts convened by the Commission of the E.E.C. to consider a preliminary draft directive on products liability.

Trespassers—Civil Liability of Occupiers

47. Our final report on the liability of occupiers for injury or damage to trespassers and related questions, with draft legislation annexed, was published on 31 March 1976⁴¹.

⁴⁰ Working Paper No. 64; Memorandum No. 20.

⁴¹ Law Com. No. 75.

PART III

STATUTE LAW GENERALLY

Consolidation

48. The following consolidation Acts (other than consolidation Acts relating to Scotland only) have been passed by Parliament since the submission of our last annual report:—

Adoption Act 1976
Fatal Accidents Act 1976
Legitimacy Act 1976
Restrictive Practices Court Act 1976
Restrictive Trade Practices Act 1976
Land Drainage Act 1976
Lotteries and Amusements Act 1976
Police Pensions Act 1976
Resale Prices Act 1976
Supplementary Benefits Act 1976

49. All these Acts were pure consolidations, but the Land Drainage Bill was preceded by the Land Drainage (Amendment) Bill. This was a case where so many amendments were needed for the purposes of consolidation that it was not feasible to proceed by way of consolidation with amendments recommended by the Law Commission; nor was there any imminent legislation that could have been used as a convenient vehicle for the necessary pre-consolidation amendments. The amendments were, therefore, made by the Land Drainage (Amendment) Bill, a substantial, but non-controversial, Bill exclusively promoted for this purpose. This has undoubtedly resulted in a far more satisfactory consolidation than would otherwise have been possible and we hope that a similar procedure may be followed in suitable cases in future.

50. Bills are in preparation on the following topics and most of them should be ready for introduction in the new Session of Parliament:—

Acquisition of Land (Authorisation Procedure)
Agricultural Holdings (Notice to Quit)
Alcoholic Liquors (Excise)
British Airways Board
Capital Gains
Children in Care
Employment Protection⁴²

⁴² Referred to in para. 56 of our last annual report as "Rights of Employees".

Highways
National Health Service
Northern Ireland (Emergency Powers)
Patents
Protection from Eviction
Rent
Trustee Savings Bank

51. In addition there is the possibility that a Countryside consolidation Bill may be ready for introduction next Session. It was hoped to introduce a Bill last Session but drafting had to be postponed and it is not yet clear when it will be completed.

Statute Law Revision

52. The Statute Law (Repeals) Act 1976, which received the Royal Assent on 27 May 1976, wholly repealed 92 Acts of Parliament and one Church Assembly Measure and partially repealed 210 Acts of Parliament.

53. A draft Statute Law (Repeals) Bill has been prepared by the Law Commissions and will be submitted to you in the near future. It would entirely repeal 221 Acts of Parliament and one Church Assembly Measure and repeal 199 Acts of Parliament and four Church Assembly Measures in part. The draft Bill would also assign short titles to 10 Acts of Parliament.

54. We have prepared and submitted to you, for inclusion at a suitable opportunity in a Bill dealing also with other topics connected with the administration of justice, a draft clause and two schedules which would remove from a large number of ancient courts in England and Wales the jurisdiction to hear and determine legal proceedings and would consequentially repeal three whole Acts and parts of 24 other Acts. Our report⁴³ was submitted to you on 2 December 1975.

55. The preparation of this report involved extensive consultation with outside bodies and was in continuation of a process begun in the Courts Act 1971 and continued in the Local Government Act 1972. Although we did this in the course of our work on Statute Law Revision our proposals are outside the scope of a Statute Law (Repeals) Bill or a Statute Law Revision Bill.

Private Acts

56. The initial task of listing the Private Acts back to the year 1539 has been completed. Work is now proceeding on the lengthier task of reading through the Private Acts and noting all repeals, amendments and expiries and recording them in the list.

⁴³ Law Com. No. 72; (1976) Cmnd. 6385.

PART IV

GENERAL

Membership of the Commission

57. On 30 September Mr. Aubrey Diamond's term of appointment as a Law Commissioner expired and he took up his new post as Director of the Institute of Advanced Legal Studies. We are grateful to him for all the help that we have had from him and wish him well in his new work. We welcome as his successor Dr. P. M. North, Fellow of Keble College, Oxford and author of a number of well-known books on the law.

Staff

58. Our full-time staff numbers forty-eight; the Secretary, five draftsmen, twenty other lawyers and twenty-two non-legal staff. In addition, there are four lawyers and two members of the non-legal staff on a part-time basis.

Library

59. The addition of another 1,200 items to the stock of our library during the year, taking our total holdings to over 17,000, increases still further the library's usefulness to us for research, reference and bibliographical purposes.

60. The librarian continues to maintain close contacts with librarians of other law libraries and government departments and during the year has attended meetings of the British and Irish Association of Law Librarians as a member of their Executive Committee and as a member of the Sub-Committee working on the preparation of standards for law libraries.

Relations with Lawyers in the United Kingdom

61. The matters which we are currently studying in co-operation with the Scottish Law Commission include products liability, conflicts of jurisdiction affecting the custody of children and the preparation of a new Interpretation Bill. During the past year the Commissions have collaborated in preparatory work on the draft Conventions on Marriage and on Matrimonial Property which were considered at the plenary session of The Hague Conference in October 1976. We are in regular consultation with the Scottish Law Commission over proposals for consolidation and statute law revision.

62. We are working in close consultation with the Law Reform Consultant in Northern Ireland and the Northern Ireland legislative draftsmen both in regard to the preparation of a new Interpretation Bill and in regard to proposals for statute law revision.

63. During the year we have been greatly assisted by the Senate of the Inns of Court and the Bar and by The Law Society with comments on our working papers, and in particular with comments on Working Paper No. 64 on *Liability*

for defective products. We should like to express our gratitude to the Senate, The Law Society and the Society of Public Teachers of Law both for their wise advice on the planning of our work and for the time and labour which their members so generously expend on helping us with detailed comments on particular topics.

64. On 21–23 September 1976 a senior member of our staff attended a colloquium at Nottingham University organised by the United Kingdom Committee for Comparative Law on the subject of Social Security and Family Law. In October 1976 Mr. Hodgson spent a week in Scotland to study the Scottish system of criminal procedure under arrangements made by the Crown Agent: the excellent organisation of the programme and the warm welcome he received made this visit most instructive and valuable. Also in October 1976 Mr. Edell attended The Law Society's Annual Conference in Torquay.

Relations with Lawyers Overseas

65. In September 1975 our chairman was one of a group of judges and practising and academic lawyers from the United Kingdom who, along with similar groups from all the countries of the European Economic Community, visited the Court of Justice of the European Communities on the occasion of the retirement from the Court of President Lecourt. Papers were presented on the principles of interpretation followed by the Court and by the national courts of member countries, and the discussion was of great value as a comparative study of methods of interpretation and of the role of the courts in this difficult field.

66. In October 1976 Mr. Hodgson gave a lecture to the American Bar Association, Section of Criminal Justice, at their London Seminar on the subject of reforms in criminal law and procedure. Mr. Marsh prepared a report for the Fourth European Conference of Law Faculties held in October 1976 under the auspices of the Council of Europe at Strasbourg. Throughout the year we have continued to receive generous assistance from law reform agencies in the Commonwealth for which we would like to record our appreciation.

67. Among the numerous visitors to the Law Commission from overseas were:—

Herr Hans Claudius Ficker (E.E.C. Directorate General of Internal Market)

Professor C. G. Weeramantry (Monash University, Australia)

Professor Jun Nakagawa (Ritsumeikan University, Kyoto, Japan)

Mr. Brian Cox, Q.C. (Solicitor General of South Australia)

Mr. Hatsutarō Fujita (Official of the National Diet of Japan)

Mr. J. Wood

Mr. N. Carson } (New South Wales Law Reform Commission)

Mr. J. Bishop }

Mr. Justice B. A. Doyle (Zambia)

Mr. Oshodi (Lagos State Law Reform Commission, Nigeria)

Professor Robert Baxt (Monash University, Australia)

Professor John D. Ayer (University of California, U.S.A.)

Dr. Dorothy M. Stetson (Florida University, U.S.A.)

Dr. H. Silberberg (University of Rhodesia)

Mr. Bhagowtee (Trinidad and Tobago Law Commission)
 Professor H. Whitmore (University of New South Wales, Australia)
 Mr. Justice Hossain (Supreme Court, Bangladesh)
 Mr. Abdul Malek (Advocate, Bangladesh)
 Professor Oemar Seno Adji (Chief Justice, Supreme Court, Indonesia)
 Mr. Kapto Sunoto (Indonesian Embassy, London)
 Professor Masaskazu Ueno (Okayama University, Japan)
 Mr. J. C. T. Simorangkir } (Director and Secretary, National Law
 Mr. Saroso } Development Centre, Ministry of Justice,
 } Indonesia)
 Right Honourable Bora Laskin (Chief Justice, Supreme Court of Canada)
 Mr. H. W. Jaywardene, Q.C. (President, Bar Association, Sri Lanka)
 Professor A. von Overbeck (University of Fribourg, Switzerland)
 Professor A. Rogerson (University of Adelaide, South Australia)
 Professor Louis Boyer (Toulouse University, France)
 Professor Nishi (Japan)
 Mr. Justice White (New Zealand)
 Dr. Carlo Lorenzetti (Bologna University, Italy)
 Professor Yutaka Tajima (Osaka City University, Japan)
 Professor Richard S. Markovits (Stanford University, School of Law,
 U.S.A.)
 Mr. Justice Kirby (Chairman, Law Reform Commission, Australia)
 Mr. B. J. Wooldridge (Solicitor, New South Wales, Australia)
 Mr. Close (British Columbia Law Reform Commission, Canada)
 Mrs. Janice Palmer (Victoria Law Reform Commission, Australia)
 Mr. W. Goudie (Director, Law Reform Commission, Tasmania)
 Professor Seiichi Isono (Tokyo University and Kanagawa University,
 Japan)

(*Signed*) SAMUEL COOKE, *Chairman.*
 STEPHEN EDELL.
 DEREK HODGSON.
 NORMAN S. MARSH.
 PETER M. NORTH.

J. M. CARTWRIGHT SHARP, *Secretary.*

23 November 1976.

APPENDIX 1

LIST OF THE LAW COMMISSION'S PUBLICATIONS

up to and including Eleventh Annual Report

(a) Working Papers published (where a report has resulted its reference number is given in brackets):

- 1966** No. 1. Transfer of Land: root of title to freehold land (Law Com. No. 9).
No. 2. Draft proposals on powers of the Court of Appeal to sit in private and restrictions upon publicity in legitimacy proceedings (Law Com. No. 8).
No. 3. Restrictive covenants (Law Com. No. 11).
No. 4. Should English wills be registrable?
No. 5. Liability of trade vendors of new dwelling houses to first and subsequent purchasers (First paper) (Law Com. No. 40).
No. 6. Liability of vendors and lessors for defective premises (Second paper) (Law Com. No. 40).
-
- 1967** No. 7. Provisional proposals for amendments to the Landlord and Tenant Act 1954, Part II (Business tenancies) (Law Com. No. 17).
No. 8. Provisional proposals relating to obligations of landlords and tenants (Law Com. No. 67).
No. 9. Family Law: matrimonial and related proceedings. Financial relief (Law Com. No. 25).
No. 10. Proposals for changes in the law relating to land charges affecting unregistered land and to local land charges (Law Com. Nos. 18 and 62).
No. 11. Powers of attorney (Law Com. No. 30).
No. 12. Proof of paternity in civil proceedings (Law Com. No. 16).
No. 13. Explanatory working paper on administrative law (Law Com. No. 20).
No. 14. Interpretation of statutes (Joint Working Paper—Scottish Law Commission Memorandum No. 6) (Law Com. No. 21).
-
- 1968** No. 15. Family Law: arrangements for the care and upbringing of children.
No. 16. Provisional proposals relating to termination of tenancies.
No. 17. Codification of the Criminal Law: general principles. The field of enquiry.
No. 18. Provisional proposals relating to amendments to sections 12–15 of the Sale of Goods Act 1893 and contracting out of the conditions and warranties implied by those sections (Joint Working Paper—Scottish Law Commission Memorandum No. 7) (Law Com. No. 24).
No. 19. Loss of services (Law Com. Nos. 25 and 56).
No. 20. Nullity of marriage (Law Com. No. 33).
No. 21. Polygamous marriages (Law Com. No. 42).
-
- 1969** No. 22. Restitution of conjugal rights (Law Com. No. 23).
No. 23. Malicious damage to property (Law Com. No. 29).
No. 24. Transfer of Land: rent charges (the subject of a further Working Paper No. 49).

- 1970 No. 25. The Law of Landlord and Tenant: working party's provisional proposals relating to covenants restricting dispositions, parting with possession, change of user and alterations.
- No. 26. Criminal Law: forgery (Law Com. No. 55).
- No. 27. Personal injury litigation: assessment of damages, itemization of pecuniary loss and the use of actuarial tables as an aid to assessment (Law Com. No. 56).
- No. 28. Family Law: jurisdiction in matrimonial causes (other than nullity) (Law Com. No. 48).
- No. 29. Codification of the Criminal Law: subject III. Territorial and extra-territorial extent of the criminal law.
- No. 30. Codification of the Criminal Law: strict liability and the enforcement of the Factories Act 1961.
- No. 31. Codification of the Criminal Law: general principles. The mental element in crime.
- No. 32. Transfer of Land: land registration (First paper).
- No. 33. Criminal Law: perjury and kindred offences (in part dealt with further in Working Paper No. 62).
- 1971 No. 34. Family Law: jactitation of marriage (dealt with further in Working Paper No. 48).
- No. 35. Family Law: solemnisation of marriage (Law Com. No. 53).
- No. 36. Transfer of Land: appurtenant rights.
- No. 37. Transfer of Land: land registration (Second paper).
- No. 38. Family Law: jurisdiction in suits for nullity of marriage (Law Com. No. 48).
- *No. 39. Exemption clauses in contracts for services (Joint Working Paper—Scottish Law Commission Memorandum No. 15) (Law Com. No. 69).
- *No. 40. Administrative Law (Law Com. No. 73).
- No. 41. Personal injury litigation: assessment of damages (Law Com. No. 56).
- No. 42. Family Law: family property law (Law Com. Nos. 52 and 61).
- 1972 No. 43. Codification of the Criminal Law: general principles. Parties, complicity and liability for the acts of another.
- No. 44. Codification of the Criminal Law: general principles. Criminal liability of corporations.
- No. 45. Transfer of Land: land registration (Third paper).
- No. 46. Charging orders on land (Law Com. No. 74).
- 1973 No. 47. Injuries to unborn children (Law Com. No. 60).
- *No. 48. Family Law: declarations in family matters.
- *No. 49. Transfer of Land: rent charges (Law Com. No. 68).
- *No. 50. Codification of the Criminal Law: general principles. Inchoate offences: conspiracy, attempt and incitement (Law Com. No. 76).
- *No. 51. Transfer of Land: "subject to contract" agreements (Law Com. No. 65).

*On sale at H.M. Stationery Office.

- *No. 52. Liability for damage or injury to trespassers and related questions of occupiers' liability (Law Com. No. 75).
- *No. 53. Family Law: matrimonial proceedings in magistrates' courts (Law Com. No. 76).
-
- 1974** *No. 54. Criminal Law: offences of entering and remaining on property (Law Com. No. 76).
- *No. 55. Codification of the Criminal Law: general principles. Defences of general application.
- *No. 56. Criminal Law: conspiracy to defraud.
 † Private International Law: E.E.C. preliminary draft convention on the law applicable to contractual and non-contractual obligations (prepared jointly with the Scottish Law Commission).
- *No. 57. Codification of the Criminal Law: conspiracies relating to morals and decency (Law Com. No. 76).
- *No. 58. Breach of confidence.
-
- 1975** *No. 59. Contribution.
- *No. 60. Firm offers.
- *No. 61. Penalty clauses and forfeiture of monies paid.
- *No. 62. Criminal Law: offences relating to the administration of justice.
- *No. 63. Codification of the Criminal Law: conspiracies to effect a public mischief and to commit a civil wrong (Law Com. No. 76).
- *No. 64. Liability for defective products (Joint Working Paper—Scottish Law Commission Memorandum No. 20).
- *No. 65. Pecuniary restitution on breach of contract.
-
- 1976** *No. 66. Interest.
- *No. 67. Transfer of Land: land registration (Fourth paper).
- *No. 68. Custody of children—jurisdiction and enforcement within the United Kingdom (Joint Working Paper—Scottish Law Commission Memorandum No. 23).
- *No. 69. The incapacitated principal.
- *No. 70. Law of Contract: the parol evidence rule.

*On sale at H.M. Stationery Office.

†This consultative document received a wide circulation but was not put on sale at H.M. Stationery Office and was not given a number in the series.

(b) Publications which have been laid before Parliament under section 3(2) and (3) of the Law Commissions Act 1965 and publications which have been presented to Parliament as Command Papers:

-
- 1965** Law Com. No. 1. First Programme of the Law Commission.
- 1966** Law Com. No. 2. Law Commission's First Programme on Consolidation and Statute Law Revision.
- Law Com. No. 3. Proposals to abolish certain ancient criminal offences.
- Law Com. No. 4. First Annual Report 1965-1966.
- Law Com. No. 5. Landlord and Tenant: interim report on distress for rent.
- Law Com. No. 6. Reform of the grounds of divorce: the field of choice (Cmnd. 3123).
- Law Com. No. 7. Proposals for reform of the law relating to maintenance and champerty.
- Law Com. No. 8. Report on the powers of appeal courts to sit in private and the restrictions upon publicity in domestic proceedings (Cmnd. 3149).
-
- 1967** Law Com. No. 9. Transfer of Land: interim report on root of title to freehold land.
- Law Com. No. 10. Imputed criminal intent (*Director of Public Prosecutions v. Smith*).
- Law Com. No. 11. Transfer of Land: report on restrictive covenants.
- Law Com. No. 11A. Sea Fisheries (Shellfish) Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of certain enactments relating to shellfish fisheries and shellfish (Scot. Law Com. No. 6A) (Cmnd. 3267).
- Law Com. No. 12. Second Annual Report 1966-1967.
- Law Com. No. 13. Civil liability for animals.
-
- 1968** Law Com. No. 14. Second Programme of Law Reform.
- Law Com. No. 15. Third Annual Report 1967-1968 (H.C. 312).
- Law Com. No. 16. Blood tests and the proof of paternity in civil proceedings (H.C. 2).
-
- 1969** Law Com. No. 17. Landlord and Tenant: report on the Landlord and Tenant Act 1954, Part II (H.C. 38).
- Law Com. No. 18. Transfer of Land: report on land charges affecting unregistered land (H.C. 125).
- Law Com. No. 18A. Trustee Savings Banks Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of the Trustee Savings Banks Acts 1954 to 1968 (Scot. Law Com. No. 10) (Cmnd. 4004).
- Law Com. No. 19. Proceedings against estates (Cmnd. 4010).
- Law Com. No. 20. Administrative Law (Cmnd. 4059).

- Law Com. No. 21. Interpretation of statutes: report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 11) (H.C. 256).
- Law Com. No. 22. Statute Law Revision: first report (Cmnd. 4052).
- Law Com. No. 23. Proposal for the abolition of the matrimonial remedy of restitution of conjugal rights (H.C. 369).
- Law Com. No. 24. Exemption clauses in contracts: first report. Amendments to the Sale of Goods Act 1893: report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 12) (H.C. 403).
- Law Com. No. 25. Family Law: report on financial provision in matrimonial proceedings (H.C. 448).
- Law Com. No. 26. Breach of promise of marriage (H.C. 453).
- Law Com. No. 27. Fourth Annual Report 1968-1969 (H.C. 27).
-
- 1970** Law Com. No. 28. Statute Law Revision: second report. Draft Wild Creatures and Forest Laws Bill (Cmnd. 4433).
- Law Com. No. 29. Criminal Law: report on offences of damage to property (H.C. 91).
- Law Com. No. 30. Powers of attorney (Cmnd. 4473).
- Law Com. No. 31. Administration bonds, personal representatives' rights of retainer and preference and related matters (Cmnd. 4497).
- Law Com. No. 32. Civil liability for dangerous things and activities (H.C. 142).
- Law Com. No. 33. Family Law: report on nullity of marriage (H.C. 164).
- Law Com. No. 34. Hague Convention on Recognition of Divorces and Legal Separations: report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 16) (Cmnd. 4542).
- Law Com. No. 35. Limitation Act 1963 (Cmnd. 4532).
- Law Com. No. 36. Fifth Annual Report 1969-1970 (H.C. 170).
- Law Com. No. 37. Statute Law Revision: third report (Cmnd. 4546).
- Law Com. No. 38. Coinage Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of certain enactment relating to coinage (Scot. Law Com. No. 18) (Cmnd. 4544).
- Law Com. No. 39. Vehicles (Excise) Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of certain enactments relating to excise duties on mechanically propelled vehicles, and to the licensing and registration of such vehicles (Scot. Law Com. No. 19) (Cmnd. 4547).
- Law Com. No. 40. Civil liability of vendors and lessors for defective premises (H.C. 184).
-
- 1971** Law Com. No. 41. National Savings Bank Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of enactments relating to the National Savings Bank (Scot. Law Com. No. 20) (Cmnd. 4574).

- Law Com. No. 42. Family Law: report on polygamous marriages (H.C. 227).
- Law Com. No. 43. Taxation of income and gains derived from land: report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 21) (Cmnd. 4654).
- Law Com. No. 44. Law Commission's Second Programme on Consolidation and Statute Law Revision (H.C. 338).
- Law Com. No. 45. Town and Country Planning Bill: report on the consolidation of certain enactments relating to town and country planning (Cmnd. 4684).
- Law Com. No. 46. Road Traffic Bill: report by the Law Commission and the Scottish Law Commission on the consolidation of certain enactments relating to road traffic (Scot. Law Com. No. 22) (Cmnd. 4731).
- Law Com. No. 47. Sixth Annual Report 1970-1971 (H.C. 32).
-
- 1972** Law Com. No. 48. Family Law: report on jurisdiction in matrimonial causes (H.C. 464).
- Law Com. No. 49. Statute Law Revision: fourth report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 26) (Cmnd. 5108).
- Law Com. No. 50. Seventh Annual Report 1971-1972 (H.C. 35).
- Law Com. No. 51. Matrimonial Causes Bill: report on the consolidation of certain enactments relating to matrimonial proceedings, maintenance agreements, and declarations of legitimacy, validity of marriage and British nationality (Cmnd. 5167).
-
- 1973** Law Com. No. 52. Family Law: first report on family property. A new approach (H.C. 274).
- Law Com. No. 53. Family Law: report on solemnisation of marriage in England and Wales (H.C. 250).
- Law Com. No. 54. Third Programme of Law Reform (H.C. 293).
- Law Com. No. 55. Criminal Law: report on forgery and counterfeit currency (H.C. 320).
- Law Com. No. 56. Report on personal injury litigation—assessment of damages (H.C. 373).
- Law Com. No. 57. Statute Law Revision: fifth report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 32) (Cmnd. 5493).
- Law Com. No. 58. Eighth Annual Report 1972-1973 (H.C. 34).
-
- 1974** Law Com. No. 59. Friendly Societies Bill: report on the consolidation of the Friendly Societies Acts 1896 to 1971 and certain other enactments relating to the societies to which these Acts apply (Scot. Law Com. No. 35) (Cmnd. 5634).
- Law Com. No. 60. Report on injuries to unborn children (Cmnd. 5709).
- Law Com. No. 61. Family Law: second report on family property. Family provision on death (H.C. 324).

- Law Com. No. 62. Transfer of Land: report on local land charges (H.C. 71).
- Law Com. No. 63. Statute Law Revision: sixth report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 36) (Cmnd. 5792).
- Law Com. No. 64. Ninth Annual Report 1973-1974 (H.C. 40).
-
- 1975** Law Com. No. 65. Transfer of Land: report on "subject to contract" agreements (H.C. 119).
- Law Com. No. 66. Supply Powers Bill: report on the consolidation of certain enactments relating to supply powers (Scot. Law Com. No. 38) (Cmnd. 5850).
- Law Com. No. 67. Codification of the Law of Landlord and Tenant: report on obligations of landlords and tenants (H.C. 377).
- Law Com. No. 68. Transfer of Land: report on rentcharges (H.C. 602).
- Law Com. No. 69. Exemption Clauses: second report (Scot. Law Com. No. 39) (H.C. 605).
- Law Com. No. 70. Statute Law Revision: seventh report by the Law Commission and the Scottish Law Commission (Scot. Law Com. No. 40) (Cmnd. 6303).
- Law Com. No. 71. Tenth Annual Report 1974-1975 (H.C. 51).
-
- 1976** Law Com. No. 72. Jurisdiction of certain ancient courts (Cmnd. 6385).
- Law Com. No. 73. Report on remedies in administrative law (Cmnd. 6407).
- Law Com. No. 74. Charging orders (Cmnd. 6412).
- Law Com. No. 75. Report on liability for damage or injury to trespassers and related questions of occupiers' liability (Cmnd. 6428).
- Law Com. No. 76. Criminal Law: report on conspiracy and criminal law reform (H.C. 176).
- Law Com. No. 77. Matrimonial proceedings in magistrates' courts (H.C. 637).
- Law Com. No. 78. Eleventh Annual Report 1975-1976.

APPENDIX 2

IMPLEMENTATION OF THE LAW COMMISSION'S
LEGISLATIVE PROPOSALS

<i>Titles of relevant reports</i>	<i>Date of publication</i>	<i>Implemented</i>
Proposals to abolish certain ancient criminal offences (Law Com. No. 3)	22.6.66	Criminal Law Act 1967 (c. 58)
Landlord and Tenant: interim report on distress for rent (Law Com. No. 5)	6.10.66	No
Proposals for reform of the law relating to maintenance and champerty (Law Com. No. 7)	22.11.66	Criminal Law Act 1967 (c. 58)
The powers of appeal courts to sit in private and the restrictions upon publicity in domestic proceedings (Law Com. No. 8)	23.11.66	Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)
Transfer of Land: interim report on root of title to freehold land (Law Com. No. 9)	14.2.67	Law of Property Act 1969 (c. 59)
Imputed criminal intent (<i>Director of Public Prosecutions v. Smith</i>) (Law Com. No. 10)	28.2.67	In part by section 8 of the Criminal Justice Act 1967 (c. 80)
Transfer of Land: report on restrictive covenants (Law Com. No. 11)	22.3.67	In part by Law of Property Act 1969 (c. 59)
Sea Fisheries (Shellfish) Bill (Joint report with Scottish Law Commission) (Law Com. No. 11A)	11.5.67	Sea Fish (Conservation) Act 1967 (c. 84)
Civil liability for animals (Law Com. No. 13)	21.12.67	Animals Act 1971 (c. 22)
Blood tests and the proof of paternity in civil proceedings (Law Com. No. 16)	31.10.68	Family Law Reform Act 1969 (c. 46)
Landlord and Tenant: report on the Landlord and Tenant Act 1954, Part II (Law Com. No. 17)	22.1.69	Law of Property Act 1969 (c. 59)
Transfer of Land: report on land charges affecting unregistered land (Law Com. No. 18)	20.3.69	Law of Property Act 1969 (c. 59)
Trustee Savings Banks Bill (Joint report with Scottish Law Commission) (Law Com. No. 18A)	17.4.69	Trustee Savings Banks Act 1969 (c. 50)
Proceedings against estates (Law Com. No. 19)	2.5.69	Proceedings Against Estates Act 1970 (c. 17)
Interpretation of statutes (Joint report with Scottish Law Commission) (Law Com. No. 21)	11.6.69	No
Statute Law Revision: first report (Law Com. No. 22)	8.7.69	Statute Law (Repeals) Act 1969 (c. 52)

<i>Titles of relevant reports</i>	<i>Date of publication</i>	<i>Implemented</i>
Proposal for the abolition of the matrimonial remedy of restitution of conjugal rights (Law Com. No. 23)	26.8.69	Matrimonial Proceedings and Property Act 1970 (c. 45)
Exemption clauses in contracts: first report. Amendments to the Sale of Goods Act 1893 (Joint report with Scottish Law Commission) (Law Com. No. 24) —	18.9.69	Supply of Goods (Implied Terms) Act 1973 (c. 13)
Financial provision in matrimonial proceedings (Law Com. No. 25)	23.9.69	Matrimonial Proceedings and Property Act 1970 (c. 45); Law Reform (Miscellaneous Provisions) Act 1970 (c. 33)
Breach of promise of marriage (Law Com. No. 26)	15.10.69	Law Reform (Miscellaneous Provisions) Act 1970 (c. 33)
Statute Law Revision: second report. Draft Wild Creatures and Forest Laws Bill (Law Com. No. 28)	4.8.70	Wild Creatures and Forest Laws Act 1971 (c. 47)
Criminal Law: offences of damage to property (Law Com. No. 29)	16.9.70	Criminal Damage Act 1971 (c. 48)
Powers of attorney (Law Com. No. 30)	23.9.70	Powers of Attorney Act 1971 (c. 27)
Administration bonds, personal representatives' rights of retainer and preference and related matters (Law Com. No. 31)	15.10.70	Administration of Estates Act 1971 (c. 25)
Nullity of marriage (Law Com. No. 33)	4.12.70	Nullity of Marriage Act 1971 (c. 44)
Hague Convention on Recognition of Divorces and Legal Separations (Joint report with Scottish Law Commission) (Law Com. No. 34)	1.12.70	Recognition of Divorces and Legal Separations Act 1971 (c. 53)
Limitation Act 1963 (Law Com. No. 35)	25.11.70	Law Reform (Miscellaneous Provisions) Act 1971 (c. 43)
Statute Law Revision: third report. Draft Statute Law (Repeals) Bill (Law Com. No. 37)	15.12.70	Statute Law (Repeals) Act 1971 (c. 52)
Coinage Bill (Joint report with Scottish Law Commission) (Law Com. No. 38)	26.11.70	Coinage Act 1971 (c. 24)
Vehicles (Excise) Bill (Joint report with Scottish Law Commission) (Law Com. No. 39)	2.12.70	Vehicles (Excise) Act 1971 (c. 10)
Civil liability of vendors and lessors for defective premises (Law Com. No. 40)	16.12.70	Defective Premises Act 1972 (c. 35)

<i>Titles of relevant reports</i>	<i>Date of publication</i>	<i>Implemented</i>
National Savings Bank Bill (Joint report with Scottish Law Commission) (Law Com. No. 41)	13.1.71	National Savings Bank Act 1971 (c. 29)
Polygamous marriages (Law Com. No. 42)	3.2.71	Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c. 38)
Taxation of income and gains derived from land (Joint report with Scottish Law Commission) (Law Com. No. 43)	28.4.71	In part by section 82 of the Finance Act 1972 (c. 41)
Town and Country Planning Bill (Law Com. No. 45)	10.6.71	Town and Country Planning Act 1971 (c. 78)
Road Traffic Bill (Joint report with Scottish Law Commission) (Law Com. No. 46)	26.7.71	Road Traffic Act 1972 (c. 20)
Jurisdiction in matrimonial causes (Law Com. No. 48)	14.9.72	Domicile and Matrimonial Proceedings Act 1973 (c. 45)
Statute Law Revision: fourth report. Draft Statute Law (Repeals) Bill (Joint report with Scottish Law Commission) (Law Com. No. 49)	28.9.72	Statute Law (Repeals) Act 1973 (c. 39)
Matrimonial Causes Bill (Law Com. No. 51)	18.12.72	Matrimonial Causes Act 1973 (c. 18)
First report on family property: a new approach (Law Com. No. 52)	6.6.73	Legislative proposal deferred until later reports
Solemnisation of marriage in England and Wales (Law Com. No. 53)	9.5.73	No
Criminal Law: forgery and counterfeit currency (Law Com. No. 55)	18.7.73	No
Personal injury litigation—assessment of damages (Law Com. No. 56)	25.7.73	No
Statute Law Revision: fifth report. Draft Statute Law (Repeals) Bill (Joint report with Scottish Law Commission) (Law Com. No. 57)	6.12.73	Statute Law (Repeals) Act 1974 (c. 22)
Friendly Societies Bill (Joint report with Scottish Law Commission) (Law Com. No. 59)	24.6.74	Friendly Societies Act 1974 (c. 46)
Report on injuries to unborn children (Law Com. No. 60)	22.8.74	Congenital Disabilities (Civil Liability) Act 1976 (c. 28)

<i>Titles of relevant reports</i>	<i>Date of publication</i>	<i>Implemented</i>
Family provision on death (Law Com. No. 61)	30.10.74	Inheritance (Provision for Family and Dependents) Act 1975 (c. 63)
Local land charges (Law Com. No. 62)	18.12.74	Local Land Charges Act 1975 (c. 76)
Statute Law Revision: sixth report. Draft Statute Law (Repeals) Bill (Joint report with Scottish Law Commission) (Law Com. No. 63)	5.12.74	Statute Law (Repeals) Act 1975 (c. 10)
Supply Powers Bill (Joint report with Scottish Law Commission) (Law Com. No. 66)	8.1.75	Supply Powers Act 1975 (c. 9)
Codification of the Law of Landlord and Tenant: obligations of landlords and tenants (Law Com. No. 67)	17.6.75	No
Transfer of Land: report on rentcharges (Law Com. No. 68)	9.10.75	No
Exemption Clauses: second report (Joint report with Scottish Law Commission) (Law Com. No. 69)	2.10.75	No
Statute Law Revision: seventh report. Draft Statute Law (Repeals) Bill (Joint report with Scottish Law Commission) (Law Com. No. 70)	5.12.75	Statute Law (Repeals) Act 1976 (c. 16)
Jurisdiction of certain ancient courts (Law Com. No. 72)	4.2.76	No
Report on remedies in administrative law (Law Com. No. 73)	25.3.76	No
Charging orders (Law Com. No. 74)	26.3.76	No
Report on liability for damage or injury to trespassers and related questions of occupiers' liability (Law Com. No. 75)	31.3.76	No
Criminal Law: report on conspiracy and criminal law reform (Law Com. No. 76)	23.3.76	No
Matrimonial proceedings in magistrates' courts (Law Com. No. 77)	20.10.76	No

APPENDIX 3

MEMBERSHIP OF ADVISORY BODIES

(1) Working Party on International Custody Conflicts of Jurisdiction (paragraph 31).

- Joint Chairmen: { The Hon. Mr. Justice Cooke (Law Commission)
The Hon. Lord Hunter (Scottish Law Commission)
Mr. A. Akbar (Law Commission)
Mr. A. E. Anton, C.B.E. (Scottish Law Commission)
Mr. R. K. Batstone (Foreign and Commonwealth Office)
Mr. M. C. Blair (Lord Chancellor's Office)
Mr. John Churchill (Law Commission)
Mr. G. C. Duke (Scottish Courts Administration)
Lady Johnston (Law Commission)
Mr. R. L. Jones (Home Office)
Dr. P. M. North (Law Commission)
Mr. N. R. Whitty (Scottish Law Commission)
Mr. J. W. Wilson (Supreme Court, Northern Ireland)
Mrs. P. J. Manfield (Law Commission)
- Secretary:

(2) Working Party on Affiliation Proceedings and the Law relating to Illegitimacy (paragraph 32).

- Chairman: The Hon. Mr. Justice Cooke (Law Commission)
Mr. A. Akbar (Law Commission)
Mr. M. C. Blair (Lord Chancellor's Office)
Mr. J. S. Campbell-Dick (Supplementary Benefits Commission)
Mr. John Churchill (Law Commission)
Mr. F. Gonning (Home Office)
Lady Johnston (Law Commission)
Mr. R. L. Jones (Home Office)
Mr. I. H. Maxwell (Lord Chancellor's Office)
Mrs. J. Reisz (Home Office)
Mr. C. C. Snow (Supplementary Benefits Commission)
- Secretary: Mrs. P. J. Manfield (Law Commission)

(3) Steering Group on Private International Law (paragraph 33).

- Joint Chairmen: { The Hon. Mr. Justice Cooke (Law Commission)
The Hon. Lord Hunter (Scottish Law Commission)
Mr. A. E. Anton, C.B.E. (Scottish Law Commission)
Dr. P. M. North (Law Commission)
- Joint Secretaries: { Mr. J. B. Allan (Scottish Law Commission)
Mr. J. M. Cartwright Sharp (Law Commission)

The Steering Group is assisted by Mr. J. A. E. Davies and Mr. R. J. Holmes.

HER MAJESTY'S STATIONERY OFFICE

Government Bookshops

49 High Holborn, London WC1V 6HB

13a Castle Street, Edinburgh EH2 3AR

41 The Hayes, Cardiff CF1 1JW

Brazennose Street, Manchester M60 8AS

Southey House, Wine Street, Bristol BS1 2BQ

258 Broad Street, Birmingham B1 2HE

80 Chichester Street, Belfast BT1 4JY

*Government publications are also available
through booksellers*