

Law Commission Recommendations: Implementation Log

[Last updated: 12/05/09]

Reports

LC No	Title	Status	Related Legislation
1966			
3	Proposals to Abolish Certain Ancient Criminal Offences	Implemented	Criminal Law Act 1967 (c58)
6	Reform of the Grounds of Divorce: The Field of Choice (Cmnd 3123)	Implemented	Divorce Reform Act 1969 (c55), now Matrimonial Causes Act 1973 (c18)
7	Proposals for Reform of the Law Relating to Maintenance and Champerty	Implemented	Criminal Law Act 1967 (c80)
8	Report on the Powers of Appeal Courts to Sit in Private and the Restrictions upon Publicity in Domestic Proceedings (Cmnd 3149)	Implemented	Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c63)
1967			
9	Transfer of Land: Interim Report on Root of Title to Freehold Land	Implemented	Law of Property Act 1969 (c59)
10	Imputed Criminal Intent (<i>Director of Public Prosecutions v Smith</i>)	Implemented in part	s 8 of the Criminal Justice Act 1967 (c80)
11	Transfer of Land: Report on Restrictive Covenants	Implemented in part	Law of Property Act 1969 (c59)
13	Civil Liability for Animals	Implemented	Animals Act 1971 (c22)
1968			
16	Blood Tests and the Proof of Paternity in Civil Proceedings (HC 2)	Implemented	Family Law Reform Act 1969 (c46)
1969			
17	Landlord and Tenant: Report on the Landlord and Tenant Act 1954, Part II (HC 38)	Implemented	Law of Property Act 1969 (c59)
18	Transfer of Land: Report on Land Charges affecting Unregistered Land (HC 125)	Implemented	Law of Property Act 1969 (c59)
19	Proceedings against Estates (Cmnd 4010)	Implemented	Proceedings against Estates Act 1970 (c17)
20	Administrative Law (Cmnd 4059)	Implemented	See Law Com No 73
23	Proposal for the Abolition of the Matrimonial Remedy of Restitution of Conjugal Rights (H C 369)	Implemented	Matrimonial Proceedings and Property Act 1970 (c45)
24	Exemption Clauses in Contracts –First Report: Amendments to the Sale of Goods Act 1893: Report by the Two Commissions (Scot Law Com No 12) (HC 403)	Implemented	Supply of Goods (Implied Terms) Act 1973 (c13)
25	Family Law: Report on Financial Provision in Matrimonial Proceedings (HC 448)	Implemented	Matrimonial Proceedings and Property Act 1970 (c45), now largely Matrimonial Causes Act 1973 (c18)

LC No	Title	Status	Related Legislation
26	Breach of Promise of Marriage (HC 453)	Implemented	Law Reform (Miscellaneous Provisions) Act 1970 (c33)
	1970		
29	Criminal Law: Report on Offences of Damage to Property (HC 91)	Implemented	Criminal Damage Act 1971 (c48)
30	Powers of Attorney (Cmnd 4473)	Implemented	Powers of Attorney Act 1971 (c27)
31	Administration Bonds, Personal Representatives' Rights of Retainer and Preference and Related Matters (Cmnd 4497)	Implemented	Administration of Estates Act 1971 (c25)
33	Family Law: Report on Nullity of Marriage (HC 164) Causes Act 1973 (c18).	Implemented	Nullity of Marriage Act 1971 (c44), now Matrimonial Causes Act 1973 (c18)
34	Hague Convention on Recognition of Divorces and Legal Separations: Report by the two Commissions (Scot Law Com No 16) (Cmnd 4542)	Implemented	Recognition of Divorces and Legal Separations Act 1971 (c53), now Part II of Family Law Act 1986 (c55)
35	Limitation Act 1963 (Cmnd 4532).	Implemented	Law Reform (Miscellaneous Provisions) Act 1971 (c43)
40	Civil Liability of Vendors and Lessors for Defective Premises (HC 184)	Implemented	Defective Premises Act 1972 (c35)
	1971		
42	Family Law: Report on Polygamous Marriages (HC 227)	Implemented	Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c38), now Matrimonial Causes Act 1973 (c18)
43	Taxation of Income and Gains Derived from Land: Report by the two Commissions (Scot Law Com No 21) (Cmnd 4654) (c41)	Implemented in part	S 82 of Finance Act 1972 (c41)
	1972		
48	Family Law: Report on Jurisdiction in Matrimonial Proceedings (HC 464)	Implemented	Domicile and Proceedings Act 1973 (c45)
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)	Implemented	Matrimonial Causes Act 1973 (c18)
	1973		
53	Family Law: Report on Solemnisation of Marriage in England and Wales (HC 250)	Rejected	
55	Criminal Law: Report on Forgery and Counterfeit Currency (HC 320)	Implemented	Forgery and Counterfeiting Act 1981 (c45)
56	Report on Personal Injury Litigation – Assessment of Administration of Damages (HC 373)	Implemented	Administration of Justice Act 1982 (c.53)
	1974		
60	Report on Injuries to Unborn Children (Cmnd 5709)	Implemented	Congenital Disabilities (Civil Liability) Act 1976 (c28)

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61	Family Law: Second Report on Family Property. Family Provision on Death (HC 324)	Implemented	Inheritance (Provision for Family and Dependants) Act 1975 (c63)
62	Transfer of Land: Report on Local Land Charges (HC 71)	Implemented	Local Land Charges Act 1975 (c76)
1975			
67	Codification of the Law of Landlord and Tenant: Report on Obligations of Landlords and Tenants (HC 377)	Rejected	
68	Transfer of Land: Report on Rentcharges (HC 602)	Implemented	Rentcharges Act 1977 (c30)
69	Exemption Clauses: Second Report by the two Law Commissions (Scot Law Com No 39) (HC 605)	Implemented	Unfair Contract Terms Act 1977 (c50)
1976			
73	Report on Remedies in Administrative Law (Cmnd 6407)	Implemented	Rules of Supreme Court (Amendment No 3) 1977; Supreme Court Act 1981 (c 54)
74	Charging Orders (Cmnd 6412)	Implemented	Charging Orders Act 1979 (c53)
75	Report on Liability for Damage or Injury to Trespassers and Related Questions of Occupiers' Liability (Cmnd 6428)	Implemented	Occupiers' Liability Act 1984 (c3)
76	Criminal Law: Report on Conspiracy and Criminal Law Reform (HC 176)	Implemented in part	Criminal Law Act 1977 (c45)
77	Family Law: Report on Matrimonial Proceedings in Magistrates' Courts (HC 637)	Implemented	Domestic Proceedings and Magistrates' Courts Act 1978 (c22)
1977			
79	Law of Contract: Report on Contribution (HC 181)	Implemented	Civil Liability (Contribution) Act 1978 (c47)
82	Liability for Defective Products: Report by the two Commissions (Scot Law Com No 45) (Cmnd 6831)	Implemented	Consumer Protection Act 1987 (c43)
83	Criminal Law: Report on Defences of General Application (HC 566)	Rejected	
1978			
86	Family Law: Third Report on Family Property – The Matrimonial Home (Co-ownership and Occupation Rights) and Household Goods (HC 450)	Implemented	Housing Act 1980 (c51); Matrimonial Homes and Property Act 1981 (c24)
88	Law of Contract: Report on Interest (Cmnd 7229)	Implemented in part	Administration of Justice Act 1982 (c53); Rules of the Supreme Court (Amendment No 2) 1980
89	Criminal Law: Report on the Mental Element in Crime (HC 499)	Rejected	
91	Criminal Law: Report on the Territorial and Extra-Territorial Extent of the Criminal Law (HC 75)	Implemented in part	Territorial Sea Act 1987 (c49)
1979			
95	Law of Contract: Implied Terms in Contracts for the	Implemented	Supply of Goods and Services Act 1982 (c29)

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	Sale and Supply of Goods (HC 142)		
96	Criminal Law: Offences Relating to Interference with the Course of Justice (HC 213)	Rejected	None
	1980		
99	Family Law: Orders for Sale of Property under the Matrimonial Causes Act 1973 (HC 369)	Implemented	Matrimonial Homes and Property Act 1981 (c24)
102	Criminal Law: Attempt and Impossibility in Relation to Attempt, Conspiracy and Incitement (HC 646)	Implemented	Criminal Attempts Act 1981 (c47)
103	Family Law – The Financial Consequences of Divorce (Cmnd 8041)	Implemented	See LC112
104	Insurance Law: Non-Disclosure and Breach of Warranty (Cmnd 8064)	Rejected	None
	1981		
110	Breach of Confidence (Cmnd 8388)	Rejected	
111	Property Law: Rights of Reverter (Cmnd 8410)	Implemented	Reverter of Sites Act 1987 (c15)
112	Family Law – The Financial Consequences of Divorce (HC 68)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
	1982		
114	Classification of Limitation in Private International Law (Cmnd 8570)	Implemented	Foreign Limitation Periods Act 1984 (c16)
116	Family Law: Time Restrictions on Presentation of Divorce and Nullity Petitions (HC 513)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
117	Family Law: Financial Relief after Foreign Divorce (HC 514)	Implemented	Matrimonial and Family Proceedings Act 1984 (c42)
118	Family Law: Illegitimacy (HC 98)	Implemented	Family Law Reform Act 1987 (c42)
	1983		
121	Law of Contract: Pecuniary Restitution on Breach of Contract (HC34)	Rejected	None
122	The Incapacitated Principal (Cmnd 8977)	Implemented	Enduring Powers of Attorney Act 1985 (c29)
123	Criminal Law: Offences relating to Public Order (HC85)	Implemented	Public Order Act 1986 (c64)
124	Private International Law: Foreign Money Liabilities (Cmnd 9064)	Implemented	PIL (Miscellaneous Provisions) Act 1995 (c42)
125	Property Law: Land Registration (HC86)	Implemented	Land Registration Act 1986 (c26)
	1984		
127	Transfer of Land: The Law of Positive and Restrictive Covenants (HC201)	Rejected	
132	Family Law: Declarations in Family Matters (HC263)	Implemented	Family Law Act 1986 (c55), Part III
134	Law of Contract: Minors' Contracts (HC494)	Implemented	Minors' Contracts Act 1987 (c13)
137	PIL: Recognition of Foreign Nullity Decrees (SLC88)	Implemented	Family Law Act 1986 (c55), Part II

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	(Cmnd 9347)		
	1985		
138	Family Law: Conflicts of Jurisdiction (SLC91) (Cmnd 9419)	Implemented	Family Law Act 1986 (c55), Part I
141	Covenants Restricting Dispositions, Alterations and Change of User (HC278)	Implemented in part	Landlord and Tenant Act 1988 (c26)
142	Forfeiture of Tenancies (HC279)	Rejected	
145	Criminal Law: Offences against Religion and Public Worship (HC442)	Implemented in part	Criminal Justice and Immigration Act 2008, s79 (c40)
146	PIL: Polygamous Marriages (SLC96) (Cmnd 9595)	Implemented	PIL (Miscellaneous Provisions) Act 1995 (c42)
147	Criminal Law: Poison Pen Letters (HC519)	Implemented	Malicious Communications Act 1988 (c27)
148	Property Law –Second Report on Land Registration (Hc551)	Implemented	Land Registration Act 1988 (c3)
149	Criminal Law: Report on Criminal Libel (Cmnd 9618)	Rejected	None
151	Rights of Access to Neighbouring Land (Cmnd 9692)	Implemented	Access to Neighbouring Land Act 1992 (c23)
152	Liability for Chancel Repairs (HC39)	Rejected	
	1986		
157	Family Law: Illegitimacy (Second Report) (Cmnd 9913)	Implemented	Family Law Reform Act 1987 (c42)
	1987		
160	Sale and Supply of Goods (SLC104) (Cm137)	Implemented	Sale and Supply of Goods Act 1994 (c35)
161	Leasehold Conveyancing (HC360)	Implemented	Landlord and Tenant Act 1988 (c26)
163	Deeds and Escrows (HC1)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)
164	Formalities for Contracts for Sale of Land (HC2)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)
165	PIL: Choice of Law Rules in Marriage (SLC105) (HC3)	Implemented	Foreign Marriage (Amendment) Act 1988
166	Transfer of Land: The Rule in <i>Bain v Fothergill</i> (Cm192)	Implemented	Law of Property (Miscellaneous Provisions) Act 1989 (c34)
168	PIL: Law of Domicile (SLC107) (Cm200)	Rejected	
	1988		
170	Facing the Future: The Ground for Divorce (HC479)	Legislation enacted (Part II of the 1996 Act) but never implemented. Then the Government announced its intention to repeal it as soon as a convenient legislative opportunity arose.	See LC192
172	Review of Child Law: Guardianship	Implemented	Children Act 1989 (c41)

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173*	Property Law: Fourth Report on Land Registration (HC680)	Superseded	See Law Com 235
174	Landlord and Tenant: Privity of Contract and Estate (HC8)	Implemented	Landlord and Tenant (Covenants) Act 1995 (c30)
175	Matrimonial Property (HC9)	Rejected	
1989			
177	Criminal Law: A Criminal Code (2 vols) (HC299)	Superseded	
178	Compensation for Tenants' Improvements (HC291)	Rejected	
180	Jurisdiction over Offences of Fraud and Dishonesty with a Foreign Element (HC318)	Implemented	Criminal Justice Act 1993 (c36), Part 1
181	Trusts of Land (HC391)	Implemented	Trusts of Land and Appointment of Trustees Act 1996 (c47)
184	Title on Death (Cm777)	Implemented	Law of Property (Miscellaneous Provisions) Act 1994 (c36)
186	Computer Misuse (Cm819)	Implemented	Computer Misuse Act 1990 (c18)
187	Distribution on Intestacy (HC60)	Implemented	Law Reform (Succession) Act 1995 (c41)
188	Overreaching: Beneficiaries in Occupation (HC61)	Implemented in part.	Trusts of Land and Appointment of Trustees Act 1996 (c47)
1990			
192	Ground for Divorce (HC636)	Legislation enacted (Part II of the 1996 Act) but never implemented. Then the Government announced its intention to repeal it as soon as a convenient legislative opportunity arose.	Family law Act 1996 Part II (c27)
193	PIL: Choice of Law in Tort and Delict (SLC129) (HC65)	Implemented	PIL (Miscellaneous Provisions) Act 1995 (c42)
1991			
194	Distress for Rent (HC138)	Implemented	Courts Tribunals and Enforcement Act 2007
196	Rights of Suit: Carriage of Goods by Sea (SLC130)	Implemented	Carriage of Goods by Sea Act 1992 (c50)

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	(250)		
199	Transfer of Land: Implied Covenants for Title (HC437)	Implemented	Law of Property (Misc Prov) Act 1994 (c36)
201	Obsolete Restrictive Covenants (HC546)	Rejected	
202	Corroboration of Evidence in Criminal Trials (Cm1620)	Implemented	CJ and Public Order Act 1994 (c33)
204	Land Mortgages (HC5)	Rejected	
1992			
205	Rape within Marriage (HC167)	Implemented	CJ and Public Order Act 1994 (c33)
207	Domestic Violence and Occupation of the Family Home (HC1)	Implemented	Family Law Act 1996 (c27), Part IV
208	Business Tenancies (HC224)	Implemented	Regulatory Reform (Business Tenancies) (England and Wales) Order 2003
1993			
215	Sale of Goods Forming Part of a Bulk (SLC145) (HC807)	Implemented	Sale of Goods (Amendment) Act 1995 (c28)
216	The Hearsay Rule in Civil Proceedings (Cm2321)	Implemented	Civil Evidence Act 1995 (c38)
217	Effect of Divorce on Wills (Cm2322)	Implemented	Law Reform (Succession) Act 1995 (c41)
218	Legislating the Criminal Code: Offences against the Person and General Principles (Cm2370)	Part Accepted (?) Part Implemented	Domestic Violence Crime and Victims Act 2004
219	Contributory Negligence as a Defence in Contract (HC9)	Rejected	
1994			
220	Delegation by Individual Trustees (HC110)	Implemented	Trustee Delegation Act 1999 (c15)
221	Termination of Tenancies (HC135)	Superseded see Law Comm 303	
222	Binding Over (Cm2439)	Part Rejected Part Implemented	
224	Structured Settlements (Cm2646)	Implemented	Finance Act 1995 (c4) – in part; Civil Evidence Act 1995 (c38) – in part; Damages Act 1996 (c48)
226	Judicial Review (HC669)	Part Implemented	Housing Act 1996 (c52) – in part Access to Justice Act 1999 (c22) Tribunals, Courts and Enforcement Act 2007 (c15)
227	Restitution: Mistakes of Law (Cm2731)	Part Implemented Part Rejected	
228	Conspiracy to Defraud (HC11)	Implemented	Theft (Amendment) Act 1996 (c62)
1995			

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229	Intoxication and Criminal Liability (HC153)	Superseded	
230	The Year and a Day Rule in Homicide (HC183)	Implemented	Law Reform (Year and a Day Rule) Act 1996 (c19)
231	Mental Incapacity (HC189)	Implemented	Mental Capacity Act 2005
235	Land Registration – First Joint Report with HM Land Registry (Cm2950)	Implemented	Land Registration Act 1997 (c2)
236	Fiduciary Duties and Regulatory Rules (Cm3049)	Rejected	
1996			
237	Involuntary Manslaughter (HC171)	Part Implemented Part Superseded – see Law Com No 304.	Corporate Homicide Act 2007
238	Responsibility for State and Condition of Property (HC236)	Pending	
242	Contracts for the Benefit of Third Parties (Cm3329)	Implemented	Contracts (Rights of Third Parties) Act 1999 (c31)
243	Money Transfers (HC690)	Implemented	Theft (Amendment) Act 1996 (c62)
1997			
245	Evidence in Criminal Proceedings: Hearsay (Cm3670)	Implemented	Criminal Justice Act 2003 (c44)
246	Shareholder Remedies (Cm3759)	Implemented	Companies Act 2006 (c46)
247	Aggravated, Exemplary and Restitutionary Damages (HC346)	Part Pending Part Rejected	
1998			
248	Corruption (HC524)	Accepted	
249	Liability for Psychiatric Illness (HC525)	Pending	
251	The Rules against Perpetuities and Excessive Accumulations (HC579)	Accepted	
253	Execution of Deeds and Documents (Cm4026)	Implemented	Regulatory Reform (Execution of Deeds and Documents) Order 2005 came into force 8 September 2005.
255	Consents to Prosecution (HC1085)	Accepted but will not be implemented	
1999			
257	Damages for Personal Injury: Non-Pecuniary Loss (HC344)	Part Accepted and Implemented Part Pending	
260	Trustees' Powers and Duties (SLC172) (HC538/SE2)	Implemented	Trustee Act 2000 (c29)
261	Company Directors: Regulating Conflicts of Interests (SLC173) (Cm4436; SE/1999/25)	Implemented	Companies Act 2006 (c46)
262	Damages for Personal Injury: Medical etc(HC806)	Pending	
263	Claims for Wrongful Death (HC807)	Pending	
2000			

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2001			
267	Double Jeopardy and Prosecution Appeals (Cm5048)	Implemented	Criminal Justice Act 2003 (c44)
269	Bail and the Human Rights Act 1998 (HC7)	Implemented	Criminal Justice Act 2003 (c44)
270	Limitation of Actions (HC23)	Accepted	
271	Land Registration for the Twenty-First Century (jointly with HM Land Registry) (HC114)	Implemented	Land Registration Act 2002 (c9)
272	Third Parties – Rights against Insurers (SLC184) (Cm5217)	Accepted	
273	Evidence of Bad Character in Criminal Proceedings (Cm5257)	Implemented	Criminal Justice Act 2003 (c44)
2002			
276	Fraud (Cm 5560)	Part Implemented	Fraud Act 2006 (c35)
277	The Effective Prosecution of Multiple Offending (Cm 5609)	Implemented	Domestic Violence, Crime and Victims Act 2004
2003			
281	Land, Valuation and Housing Tribunals: The Future (Cm 5948)	Rejected	
282	Children: Their Non-accidental Death or Serious Injury (Criminal Trials) (HC 1054)	Implemented	Domestic Violence, Crime and Victims Act 2004 (c28)
283	Partnership Law (jointly with the Scottish Law Commission – SLC192) (Cm6015; SE/2003/299)	Part Accepted Part Rejected	
284	Renting Homes (Cm6018)	Pending	
286	Towards a Compulsory Purchase Code: (1) Compensation (Cm6071)	Not implemented	
2004			
287	Pre-judgment Interest on Debts and Damages (HC 295)	Pending	
289	In the Public Interest: Publication of Local Authority Inquiry Reports (Cm 6274)	Pending	
290	Partial Defences to Murder (Cm 6301)	Superseded see Law Com 304	
291	Towards a Compulsory Purchase Code: (2) Procedure (Cm6406)	Not implemented	
2005			
292	Unfair Terms in Contracts (jointly with the Scottish Law Commission – SLC199) (Cm 6464; SE/2005/13)	Accepted in principle	
295	The Forfeiture Rule and the Law of Succession (Cm 6625)	Accepted	
296	Company Security Interests (Cm 6654)	Pending	

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	2006		
297	Renting Homes : The Final Report	Pending	
300	Inchoate Liability for Assisting and Encouraging Crime	Implemented	Serious Crime Act 2007 (c27)
301	Trustee Exemption Clauses	Pending	
302	Post Legislative Scrutiny	Accepted	
303	Termination of Tenancies	Pending	
304	Murder, Manslaughter and Infanticide	Pending	
	2007		
305	Participating In Crime	Pending	
307	Cohabitation: The Financial Consequences of Relationship Breakdown	Pending	
	2008		
309	Housing: Proportionate Dispute Resolution	Pending	
312	Housing: Encouraging Responsible Letting	Pending	
313	Reforming Bribery	Pending	
	2009		
314	Intoxication and Criminal Liability (Cm 7526)	Pending	
315	Capital and Income in Trusts: Classification and Apportionment (HC 426)	Pending	