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Consumer and Competition Policy  
Department for Business, Innovation and Skills  
1 Victoria Street  
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Date: 29 June 2015

Dear Sirs

**Re: Protection of small businesses when purchasing goods and services**

I write in my capacity as Secretary to the Law Society of Scotland's Consumer Law Sub-committee. The committee has recently considered the Department for Business, Innovation and Skills consultation on protection of small businesses when purchasing goods and services wishes to put forward the following comments.

The committee notes that the focus of the consultation paper is whether MSBs require protection when entering into contracts for the supply of goods and services to other businesses. An MSB may, however, be a firm of solicitors and, in such a case, it may not immediately be apparent why they might merit protection when contracting with another business.

As MSBs make up the majority of all businesses in the UK, it is essential that if the call for evidence discloses that there are abuses or imbalances in transactions made by MSBs, then it would be appropriate that MSBs should be appropriately protected.

The paper accepts that the government has "*limited evidence on the scale of any problem and the potential consequences for MSBs and the suppliers....*" In these circumstances, while we would not criticise the call for evidence, we would be concerned if legislative intervention should take place without evidence justifying the necessity of it.

Please contact me direct should you wish to discuss these further.

Yours sincerely

**Brian Simpson**

Law Reform

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