



# Succession (Scotland) Act 2016

## 2016 asp 7

### *General*

#### **28 Interpretation** **S**

- (1) In this Act (unless the context otherwise requires)—  
a reference to the “estate” of a deceased person is a reference to the whole estate belonging to the person at the time of death but does not include property passing on the person's death to another person by virtue of a special destination,  
“property” includes any interest in property.
- (2) In this Act, the “forfeiture rule” has the same meaning as in the Forfeiture Act 1982.
- (3) In this Act, a “will” means any document of a testamentary nature and includes a reference to—  
(a) a testamentary trust disposition and settlement,  
(b) a codicil.

#### **Commencement Information**

- II** [S. 28](#) in force at 1.11.2016 by [S.S.I. 2016/210, reg. 2\(1\)\(b\)](#)

#### **29 Consequential provision** **S**

- (1) The rule of law known as the *conditio si institutus sine liberis decesserit* ceases to have effect.
- (2) The schedule (which modifies provisions for the purposes of or in consequence of this Act) has effect.

#### **Commencement Information**

- I2** [S. 29\(1\)](#) in force at 1.11.2016 in relation to the estate of any person who dies on or after 1.11.2016 by [S.S.I. 2016/210, reg. 2\(1\)\(a\)\(2\)](#) (with [reg. 3\(2\)](#))
- I3** [S. 29\(2\)](#) in force at 1.11.2016 for specified purposes by [S.S.I. 2016/210, reg. 2\(1\)\(b\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the Succession (Scotland) Act 2016, Cross Heading: General. (See end of Document for details)*

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- 14** [S. 29\(2\)](#) in force at 1.11.2016 for specified purposes in relation to the estate of any person who dies on or after 1.11.2016 by [S.S.I. 2016/210](#), [reg. 2\(1\)\(a\)\(2\)](#)

### **30 Ancillary provision** **S**

- (1) The Scottish Ministers may by regulations make such supplementary, incidental, consequential, transitional, transitory or saving provision as they consider appropriate for the purposes of, or in connection with, or for the purposes of giving full effect to, any provision of this Act.
- (2) Regulations under this section may—
  - (a) modify this Act or any other enactment,
  - (b) make different provision for different purposes.
- (3) Regulations under this section—
  - (a) are subject to the affirmative procedure if they contain provision which adds to, or replaces or omits any part of, the text of this or any other Act,
  - (b) otherwise, are subject to the negative procedure.

### **31 Commencement** **S**

- (1) Sections 18 to 22, 30 and 32, and this section, come into force on the day after Royal Assent.
- (2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.
- (3) Regulations under subsection (2) may—
  - (a) make different provision for different purposes,
  - (b) include transitional, transitory or saving provision.

### **32 Short title** **S**

The short title of this Act is the Succession (Scotland) Act 2016.

**Changes to legislation:**

There are currently no known outstanding effects for the Succession (Scotland) Act 2016, Cross  
Heading: General.