



Succession (Scotland) Act 2016

2016 asp 7

Testamentary documents and special destinations

8 Destinations in wills and certain trusts: conditional institution

- (1) This section applies where—
 - (a) a destination of property in favour of a person (“A”) whom failing another person (“B”) is contained in a will or in a trust taking effect during the lifetime of the truster, and
 - (b) the property vests in A.
- (2) B loses all rights to the property under the destination unless—
 - (a) the will or trust expressly provides otherwise, or
 - (b) it is clear from the terms of the will or trust that the testator or truster intended otherwise.