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**Changes to legislation:** Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Cross Heading: The Small Testate Estates (Scotland) Act 1876 (c. 24) is up to date with all changes known to be in force on or before 29 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 8

#### AMENDMENT OF ENACTMENTS

#### PART II

#### MISCELLANEOUS

##### *The Small Testate Estates (Scotland) Act 1876 (c. 24)*

- 25 (1) In section 3 of the Small Testate Estates (Scotland) Act 1876 (simplified procedure for confirmation to small estates)—
- (a) for the word “oath” there shall be substituted “ declaration ”; and
  - (b) for the words “being duly sworn to” there shall be substituted “ and declaration being duly signed ”.
- (2) In Schedule A to that Act (form of inventory etc)—
- (a) for the word “oath” in both places where it occurs there shall be substituted “ declaration ”;
  - (b) for the words from “In presence of” to “depones” there shall be substituted “ *[name and address of applicant]* (hereinafter referred to “the applicant”) hereby declares ”;
  - (c) for the word “deponent” wherever it occurs there shall be substituted “ applicant ”; and
  - (d) the words from “All which” to the end shall cease to have effect.
- (3) In Schedule B to that Act (form of confirmation), for the word “oath” there shall be substituted “ declaration ”.

**Changes to legislation:**

Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, Cross Heading: The Small Testate Estates (Scotland) Act 1876 (c. 24) is up to date with all changes known to be in force on or before 29 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21A(1)(c) words substituted by [2007 asp 5 Sch. 5 para. 3\(7\)\(a\)\(iii\)](#)
- s. 33(6) inserted by [2007 asp 5 Sch. 5 para. 3\(11\)](#)