



Age of Legal Capacity (Scotland) Act 1991

CHAPTER 50

AGE OF LEGAL CAPACITY (SCOTLAND) ACT 1991

- 1 Age of legal capacity.
- 2 Exceptions to general rule.
- 3 Setting aside of transactions.
- 4 Ratification by court of proposed transaction.
- 5 Guardians of persons under 16.
- 6 Attainment of age.
- 7 Acquisition of domicile.
- 8 Transitional provision.
- 9 Interpretation.
- 10 Amendments and repeals.
- 11 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — AMENDMENT OF ENACTMENTS

Defence Act 1842 (c.94)

- 1 In section 15, for the words “persons within the age...
- 2 In section 27, for the words “infancy or” substitute the...

Lands Clauses Consolidation (Scotland) Act 1845 (c.19)

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6 In section 70, for the word “infancy” substitute the words...

Judicial Factors Act 1849 (c.51)

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Improvement of Land Act 1864 (c.114)

- 16 In section 18, for the words “an infant or infants, ...
17 In section 24, for the words “infants, minors” substitute the...
18 In section 68, for the word “infant” substitute the words...

Titles to Land Consolidation (Scotland) Act 1868 (c.101)

- 19 In section 24, for the words “pupil, minor” wherever they...
20 In section 62, for the words “in nonage” substitute the...
21 In section 119, for the words “of full age, or...”

Colonial Stock Act 1877 (c.59)

- 22 In section 26 (definitions) after the definition of “colony” there...

Heritable Securities (Scotland) Act 1894 (c.44)

- 23 In section 13, for the words “in pupillarity or minority, ...

Merchant Shipping Act 1894 (c.60)

- 24 In section 55(1), for the word “infancy” substitute the words...

Trusts (Scotland) Act 1921 (c.58)

- 25 In section 2, in the definitions of “trust” and “trust...”

Conveyancing (Scotland) Act 1924 (c.27)

- 26 In section 41(1), for the words from “in pupillarity” to...

Trusts (Scotland) Act 1961 (c.57)

- 27 In section 1, in subsection (1)(a) after the word “who”...

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c.49)

- 28 In section 20(3)(c), for “18” substitute “16”.
29 In section 43(10), for the words “tutor or curator” substitute...

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National Loans Act 1968 (c.13)

- 30 In section 14(5)(a), for the words from “of unsound” to...

Social Work (Scotland) Act 1968 (c.49)

- 31 In section 16(11)(c), for the words “tutor or curator” substitute...
32 In section 18(4), for the words “tutor or curator of...”

Taxes Management Act 1970 (c.9)

- 33 In section 73, for the words “parent, guardian or tutor”...
34 In section 118(1), in the appropriate alphabetical position, insert the...

Sheriff Courts (Scotland) Act 1971 (c.58)

- 35 In section 37(2A), for the words “tutory, curatory” substitute the...

Adoption (Scotland) Act 1978 (c.28)

- 36 In section 65(1), in paragraph (b) of the definition of...

Matrimonial Homes (Family Protection) (Scotland) Act 1981 (c.59)

- 37 In section 7(1)(d), for the words “a minor” substitute the...

Civil Jurisdiction and Judgments Act 1982 (c.27)

- 38 In Schedule 9, in paragraph 3 for the words “tutory...”

Companies Act 1985 (c.6)

- 39 In sections 203(1), 327(2)(b) and 328(8), for the words “pupil...”

Family Law (Scotland) Act 1985 (c.37)

- 40 In section 2(4)(c)(i), for the words “father or mother” substitute...

Law Reform (Parent and Child) (Scotland) Act 1986 (c.9)

- 41 For section 4 substitute the following section— Power of parent...
42 In section 6(2), for the words “pupil child” substitute the...
43 In section 8, in paragraph (a) of the definition of...

Family Law Act 1986 (c.55)

- 44 In section 1(1)(b)(ix), for the words “tutory or curatory” substitute...
45 In section 16, in subsections (1) and (4) for the...
46 In section 18(2), for the words “tutory or curatory of...
47 In section 35(4)(b), for the words “tutor or curator” substitute...

Income and Corporation Taxes Act 1988 (c.1)

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SCHEDULE 2 — REPEALS

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 2(3) text amended by [2007 asp 4 Sch. 3](#)
- s. 2(4ZA)(4ZB) inserted by [2008 c. 22 Sch. 7 para. 16](#)
- s. 7 repealed by [2006 asp 2 Sch. 3](#)
- Sch. 1 para. 36 repealed by [2007 asp 4 Sch. 3](#)
- Sch. 1 para. 28 repealed by [S.S.I. 2006/596 art. 6](#)
- Sch. 1 para. 39 repealed by [2006 c. 46 Sch. 16](#)

Commencement Orders yet to be applied to the Age of Legal Capacity (Scotland) Act 1991:

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2006/3428 art. 2-4 7](#) commences ([2006 c. 46](#))
- [S.I. 2009/2232 art. 2](#) commences ([2008 c. 22](#))
- [S.S.I. 2006/212 art. 2](#) commences ([2006 asp 2](#))
- [S.S.I. 2009/267 art. 2](#) commences ([2007 asp 4](#))