



# Executors (Scotland) Act 1900

## 1900 CHAPTER 55

### 7 **Where confirmation ad non executa may be granted.**

Where any confirmation has become inoperative by the death or incapacity of all the executors in whose favour it has been granted, no title to intromit with the estate confirmed therein shall, otherwise than in the circumstances and to the extent authorised by the preceding section, transmit to the representatives of any such executors whatever may be the extent of their beneficial interest therein, but it shall be competent to grant confirmation ad non executa to any estate contained in the original confirmation which may remain un-uplifted or untransferred to the persons entitled thereto, and such confirmation ad non executa shall be granted to the same persons, and according to the same rules as confirmations ad omissa are at present granted, and shall be a sufficient title to continue and complete the administration of the estate contained therein, provided always that nothing herein contained shall be held to affect the rights and preferences at present conferred by confirmation on executors creditors.