



Succession (Scotland) Act 2016

2016 asp 7

Other reforms

25 Gifts made in contemplation of death

- (1) The customary mode of making a conditional gift in contemplation of death known as making a donation mortis causa is abolished.
- (2) Subsection (1) does not prevent the making of a conditional gift other than in that customary mode.

Commencement Information

11 S. 25 in force at 1.11.2016 by [S.S.I. 2016/210, reg. 2\(1\)\(b\)](#) (with [reg. 3\(3\)](#))

26 Abolition of right to claim in respect of expense of mournings

Any right at common law to claim an allowance in respect of the expense of mournings from the estate of a deceased person is abolished.

Commencement Information

12 S. 26 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\(1\)\(a\)\(2\)](#)

27 Additional ground of jurisdiction: executor confirmed in Scotland

- (1) The Civil Jurisdiction and Judgments Act 1982 is amended as follows.
- (2) In rule 2 of Schedule 8, after paragraph (g) insert—
 - “(ga) in the person's capacity as an executor (where confirmation has been obtained in Scotland)—
 - (i) in the Court of Session, or
 - (ii) before a sheriff of the sheriffdom in which confirmation was obtained.”.

Status: Point in time view as at 01/11/2016.

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

Commencement Information

- I3** [S. 27](#) 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\(1\)\(a\)\(2\)](#)

Status:

Point in time view as at 01/11/2016.

Changes to legislation:

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