



# Succession (Scotland) Act 2016

## 2016 asp 7

### *Other reforms*

#### **25 Gifts made in contemplation of death** **S**

- (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** **S**

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** **S**

- (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.”.

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**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)

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### 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)**

**Changes to legislation:**

There are currently no known outstanding effects for the Succession (Scotland) Act 2016, Cross  
Heading: Other reforms.