



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.

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.

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.”.