

*These notes relate to the Succession (Scotland) Act 2016
(asp 7) which received Royal Assent on 3 March 2016*

SUCCESSION (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Testamentary documents and special destinations

Section 5 – Revocation of will not to revive earlier revoked will

23. Under the current law, a will which is revoked by a subsequent will, revives if the subsequent will is itself revoked. This section changes the law so that in these circumstances the revocation of the subsequent will, or part of it, does not revive the earlier will or the revoked part of the earlier will. This does not prevent the person who made the will from reviving the will by other means – such as re-executing it or making a new will in the same terms as the one which was revoked.