

*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

General

Section 28- Interpretation

80. Subsection (1) of section 28 defines the terms “estate” and “property” for the purposes of the Act. The term ‘property’ means both heritable and moveable property. The definitions apply unless the context requires otherwise.
81. Subsection (2) provides that, for the purposes of the Act, ‘forfeiture rule’ has the same meaning as in the Forfeiture Act 1982. In that Act, the “forfeiture rule” means the rule of public policy which in certain circumstances precludes a person who has unlawfully killed another from acquiring a benefit in consequence of the killing.
82. Subsection (3) defines the term “will” for the purposes of the Act.