



Succession (Scotland) Act 2016

2016 asp 7

Testamentary documents and special destinations

8 Destinations in wills and certain trusts: conditional institution

- (1) This section applies where—
- (a) a destination of property in favour of a person (“A”) whom failing another person (“B”) is contained in a will or in a trust taking effect during the lifetime of the truster, and
 - (b) the property vests in A.
- (2) B loses all rights to the property under the destination unless—
- (a) the will or trust expressly provides otherwise, or
 - (b) it is clear from the terms of the will or trust that the testator or truster intended otherwise.

Commencement Information

- II** S. 8 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\(1\)\(a\)\(2\)](#) (with [reg. 3\(2\)](#))

Changes to legislation:

There are currently no known outstanding effects for the Succession (Scotland) Act 2016, Section 8.