



# Trusts and Succession (Scotland) Act 2024

## 2024 asp 2

### PART 2

#### SUCCESSION

##### *Effect of divorce, dissolution or annulment on special destination*

#### **76 Effect of divorce, dissolution or annulment on special destination**

In section 2(2) of the Succession (Scotland) Act 2016 (effect of divorce, dissolution or annulment on special destination), after “succession to” insert “A’s interest in”.

#### **Commencement Information**

**II** [S. 76](#) in force at 30.4.2024, see [s. 88\(2\)](#)

##### *Rights of succession to intestate estate*

#### **77 Rights of succession to intestate estate**

(1) In section 2(1) of the Succession (Scotland) Act 1964 (rights of succession to intestate estate)—

(a) after paragraph (a) insert—

“(ab) where an intestate is survived by a husband, wife or civil partner, but is not survived by any prior relative, the surviving spouse or civil partner shall have right to the whole of the intestate estate;”

(b) paragraph (e) is repealed.

(2) This section does not apply as respects a death that occurred before the section comes into force.

---

*Status: Point in time view as at 30/04/2024. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Part 2. (See end of Document for details)*

---

---

**Commencement Information**

**I2** S. 77 in force at 30.4.2024, see s. 88(2)

PROSPECTIVE

**78 Application to court by survivor for provision on intestacy**

In section 29(6) of the Family Law (Scotland) Act 2006 (application to court by survivor for provision on intestacy), for “6” substitute “12”.

---

**Commencement Information**

**I3** S. 78 not in force at Royal Assent, see s. 88(3)

**Status:**

Point in time view as at 30/04/2024. This version of this part contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Trusts and Succession (Scotland) Act 2024, Part 2.