



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”.

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(b) paragraph (e) is repealed.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.

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”.