



Succession (Scotland) Act 2016

2016 asp 7

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Testamentary documents and special destinations

- 1 Effect of divorce, dissolution or annulment on will
- 2 Effect of divorce, dissolution or annulment on special destination
- 3 Rectification of will
- 4 Rectification of will: supplementary
- 5 Revocation of will not to revive earlier revoked will
- 6 Death before legacy vests: entitlement of issue
- 7 Liferent: vesting of fee other than on death
- 8 Destinations in wills and certain trusts: conditional institution

Survivorship

- 9 Uncertainty of survivorship treated as failure to survive
- 10 Equal division of property if order of beneficiaries' deaths uncertain
- 11 Testamentary requirement of survival for a particular period

Forfeiture

- 12 Person forfeiting to be treated as having failed to survive victim
- 13 Protection for persons acquiring in good faith and for value
- 14 Power of sheriff to order sheriff clerk to execute document
- 15 Total relief from forfeiture rule
- 16 Time limit for applying for relief from forfeiture rule
- 17 Repeal of the Parricide Act

Estate administration

- 18 Confirmation of executors: no requirement to find caution in relation to small intestate estate
- 19 Confirmation of executors: general exceptions to requirement to find caution
- 20 Confirmation of executors: power of Ministers to abolish requirement for executors dative to find caution

Changes to legislation: There are currently no known outstanding effects for the Succession (Scotland) Act 2016. (See end of Document for details)

- 21 Power of Ministers to make provision requiring conditions to be met before courts appoint persons as executors dative
- 22 Sections 19, 20 and 21: regulations
- 23 Errors in distribution: protection of trustees and executors in certain circumstances
- 24 Protection of persons acquiring title

Other reforms

- 25 Gifts made in contemplation of death
- 26 Abolition of right to claim in respect of expense of mournings
- 27 Additional ground of jurisdiction: executor confirmed in Scotland

General

- 28 Interpretation
- 29 Consequential provision
- 30 Ancillary provision
- 31 Commencement
- 32 Short title

SCHEDULE — MODIFICATIONS OF ENACTMENTS

The Succession (Scotland) Act 1964

- 1 (1) The Succession (Scotland) Act 1964 is modified as follows....

The Law Reform (Miscellaneous Provisions) (Scotland) Act 1968

- 2 Section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act...

Civil Partnership Act 2004

- 3 Section 124A of the Civil Partnership Act 2004 is repealed....

Family Law (Scotland) Act 2006

- 4 Section 19 of the Family Law (Scotland) Act 2006 is...

Changes to legislation:

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