



# Law Reform (Miscellaneous Provisions) (Scotland) Act 1980

## 1980 CHAPTER 55

### *Trusts, factors and succession*

#### **4 Prior rights in estate of deceased person.**

In the <sup>M1</sup> Succession (Scotland) Act 1964—

- (a) in section 9(1) (prior right of surviving spouse to financial provision on intestacy), after the words “at the rate of 4 per cent. per annum” there shall be inserted the words “, or at such rate as may from time to time be fixed by order of the Secretary of State, ”; and
- (b) after section 9 there shall be inserted the following section—

#### **“9A Provisions supplementary to ss. 8 and 9.**

—Any order of the Secretary of State, under section 8 or 9 of this Act, fixing an amount or rate—

- (a) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and
- (b) shall have effect in relation to the estate of any person dying after the coming into force of the order.”.

#### **Modifications etc. (not altering text)**

- C1** The text of ss. 2(3), 4, 5, 7–10, 13–16, 17(4), 19, 21, 22(1)(a)(b)(d), 24, Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Marginal Citations**

- M1** 1964 c. 41.

**Changes to legislation:**

There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, Section 4.