

*These notes relate to the Succession (Scotland) Act 2016
(asp 7) which received Royal Assent on 3 March 2016*

SUCCESSION (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

General

Schedule

88. Paragraphs 1(1) to (4) of the schedule makes various modifications to sections 5(1), 6(1) and 11 of the Succession (Scotland) Act 1964 in consequence of section 9 of the Act. The amendments replace the references to “predecease” in those sections with “failed to survive” so that these provisions are in line with and get the benefit of the new survivorship provision in section 9 of the Act. Paragraph 1(5)(c) also repeals section 31 of the Succession (Scotland) Act 1964 in consequence of its replacement by section 9 of the Act
89. Paragraph 1(5)(a) repeals section 17 of the Succession (Scotland) Act 1965 in consequence of its replacement by section 24 of the Act.
90. Paragraph 1(5)(b) repeals section 24(2) of the Succession (Scotland) Act 1964. Paragraph 2 repeals section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968. Both of these provisions are repealed in consequence of their replacement by section 23 of the Act
91. Paragraphs 3 and 4 repeal section 124A of the Civil Partnership Act 2004 and section 19 of the Family Law (Scotland) Act 2006. These provisions are replaced by section 2 of the Act.