



# Income and Corporation Taxes Act 1988

## 1988 CHAPTER 1

### PART XVI

#### ESTATES OF DECEASED PERSONS IN COURSE OF ADMINISTRATION

#### **702 Application to Scotland.**

<sup>M1</sup>For the purpose of the application of this Part to Scotland—

- (a) any reference to the completion of the administration of an estate shall be construed as a reference to the date at which, after discharge of, or provision for, liabilities falling to be met out of the deceased's estate (including, without prejudice to the generality of the foregoing, debts, legacies immediately payable, prior rights of surviving spouse on intestacy and legal rights of surviving spouse or children), the free balance held in trust for behoof of the residuary legatees has been ascertained;
- (b) for paragraph (b) of section 697(1) the following paragraph shall be substituted—
  - “(b) the amount of any of the aggregate income of the estate for that year to which a person has become entitled by virtue of a specific disposition”;
- (c) “real estate” means heritable estate, and
- (d) “charge on residue” shall include, in addition to the liabilities specified in section 701(6), any sums required to meet claims in respect of prior rights by surviving spouse or in respect of legal rights by surviving spouse or children.

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#### **Marginal Citations**

**M1** Source-1970 s.433; 1987 Sch.15 2(15)

**Status:**

Point in time view as at 01/01/1994. This version of this provision has been superseded.

**Changes to legislation:**

Income and Corporation Taxes Act 1988, Section 702 is up to date with all changes known to be in force on or before 18 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.