



Succession (Scotland) Act 1964

1964 CHAPTER 41

PART III

ADMINISTRATION AND WINDING UP OF ESTATES

21 Evidence as to holograph wills in commissary proceedings.

Notwithstanding any rule of law or practice to the contrary, confirmation of an executor to property disposed of in a holograph testamentary disposition shall not be granted unless the court is satisfied by evidence consisting at least of an affidavit by each of two persons that the writing and signature of the disposition are in the handwriting of the testator.

[^{F1}(2) This section shall not apply to a testamentary document executed after the commencement of the Requirements of Writing (Scotland) Act 1995.]

Textual Amendments

F1 S. 21(2) added (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), **Sch. 4 para. 38** (with ss. 9(3)(5)(7), 13, 14(3))

Changes to legislation:

There are currently no known outstanding effects for the Succession (Scotland) Act 1964, Section 21.