



# Succession (Scotland) Act 1964

## 1964 CHAPTER 41

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

**[<sup>F1</sup>32 Certain testamentary dispositions to be formally valid.**

- (1) For the purpose of any question arising as to entitlement, by virtue of a testamentary disposition, to any relevant property or to any interest therein, the disposition shall be treated as valid in respect of the formalities of execution.
- (2) Subsection (1) above is without prejudice to any right to challenge the validity of the testamentary disposition on the ground of forgery or on any other ground of essential invalidity.
- (3) In this section “relevant property” means property disposed of in the testamentary disposition in respect of which—
  - (a) confirmation has been granted; or
  - (b) probate, letters of administration or other grant of representation—
    - (i) has been issued, and has noted the domicile of the deceased to be, in England and Wales or Northern Ireland; or
    - (ii) has been issued outwith the United Kingdom and had been sealed in Scotland under section 2 of the Colonial Probates Act 1892.]

#### Textual Amendments

- F1** S. 32 substituted (1.8.1995) by 1995 c. 7, ss. 14(1), 15(2), **Sch. 4 para. 40** (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 32.