

1989 No. 289 (S.33)

SHERIFF COURT, SCOTLAND

**The Confirmation to Small Estates (Scotland) Order
1989**

<i>Made</i> - - - -	<i>1st March 1989</i>
<i>Laid before Parliament</i>	<i>10th March 1989</i>
<i>Coming into force</i>	<i>1st April 1989</i>

The Secretary of State, in exercise of the powers conferred on him by section 1(3) of the Confirmation to Small Estates (Scotland) Act 1979(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Confirmation to Small Estates (Scotland) Order 1989 and shall come into force on 1st April 1989.

Amendment of legislation

2. In each of the following provisions of the Intestates Widows and Children (Scotland) Act 1875(b), namely:-

- (a) section 3 (confirmation to small intestate estate);
- (b) Schedule A (form of inventory and relative oath); and
- (c) Schedule B (form of confirmation),

for the words "£13,000" there shall be substituted the words "£17,000".

3. In each of the following provisions of the Small Testate Estates (Scotland) Act 1876(c), namely:-

- (a) section 3 (confirmation to small testate estate); and
- (b) Schedule A (form of inventory and relative oath),

for the words "£13,000" there shall be substituted the words "£17,000".

4. The Confirmation to Small Estates (Scotland) Order 1984(d) is hereby revoked.

(a) 1979 c.22.

(b) 1875 c.41; section 3 was amended by the Small Estates (Representation) Act 1961 (c.37), section 1(1) and Schedule 1, paragraph 1(1), by the Administration of Estates Act 1971 (c.25), section 12(1) and Schedule 2, Part I and by the Finance Act 1975 (c.7), sections 52(2), 59(5) and Schedule 13, Part I; section 3 was further amended and Schedules A and B were amended by section 1(1) of the Confirmation to Small Estates (Scotland) Act 1979 and by S.I. 1984/1848.

(c) 1876 c.24; section 3 was amended by the Small Estates (Representation) Act 1961, section 1(1) and Schedule 1, paragraph 2(1) and by the Administration of Estates Act 1971, section 12(1) and Schedule 2, Part I; section 3 was further amended and Schedule A was amended by section 1(2) of the Confirmation to Small Estates (Scotland) Act 1979 and by S.I. 1984/1848.

(d) S.I. 1984/1848.

St. Andrew's House, Edinburgh
1st March 1989

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order increases from £13,000 to £17,000 the limit of value of a deceased person's estate at or below which confirmation of executors may be obtained by the simplified procedures prescribed by the Intestates Widows and Children (Scotland) Act 1875 (for small intestate estates) and by the Small Testate Estates (Scotland) Act 1876 (for small testate estates). The previous Order increasing the limit is revoked.

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