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In its 2019 report on succession, the Scottish Law Commission (SLC) made various suggestions and recommendations in relation to the reform of our law of intestate succession. These included a proposal that, firstly, the spouse should receive the whole estate if there are no descendants, and if there was no spouse but there are descendants, then the latter should inherit the whole estate.

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Assimilation of heritage to moveables for purpose of devolution on intestacy. 2. Rights of succession to intestate estate. 3.

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On testate succession, whilst the current scheme of legal rights attracts criticism, the Scottish Government has concluded from the responses that it does have the benefit of striking a balance between testamentary freedom and limited protections for spouses/civil partners and children and so will not bring forward reforms to the law on testate succession.

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The law of succession governs how a person's property passes on his or her death. General Information about the current law and practical advice on bereavement is given in the Scottish Government publication 'What to do after a death in Scotland'. Hard copies of the publication can be obtained (free of charge) by calling 0131 244 3581.

Wednesday, 15 February 2017 1586 Hits Late last year, the law on succession was updated for the first time in 50 years by the Succession (Scotland) Act 2016, marking the first stage in a phased approach aimed at gradually modernising this complex, and often controversial, area of law.

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