

ELIZABETH II



1969 CHAPTER 39

An Act to amend the law of Scotland relating to the age of majority; and for connected purposes.

[25th July 1969]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) As from the date on which this Act comes into force a person shall attain majority on attaining the age of eighteen instead of on attaining the age of twenty-one; and a person shall attain majority on that date if he has then already attained the age of eighteen but not the age of twenty-one. Reduction of age of majority to 18.

(2) The foregoing subsection applies for the purposes of any rule of law, and, in the absence of a definition or of any indication of a contrary intention, for the construction of “major”, “majority”, “full age”, “perfect age”, “complete age”, “lawful age”, “minor”, “minority”, “under age”, “less age” and similar expressions in—

- (a) any statutory provision, whether passed or made before, on or after the date on which this Act comes into force; and
- (b) any deed executed on or after that date other than a deed made in the exercise of a special power of appointment where the deed creating the power was executed before that date.

(3) In the statutory provisions specified in Schedule 1 to this Act, for any reference to the age of twenty-one years or twenty-five years there shall be substituted a reference to the age of eighteen years.

(4) This section does not affect the construction of any such expression as is referred to in subsection (2) of this section in any of the statutory provisions described in Schedule 2 to this Act.

(5) The Secretary of State may, by order made by statutory instrument, amend any provision in any local enactment passed on or before the date on which this Act comes into force by substituting a reference to the age of eighteen years for any reference therein to the age of twenty-one years; and any statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) Notwithstanding any rule of law, a testamentary instrument or codicil executed before the date on which this Act comes into force shall not be treated for the purposes of this section as made on or after that date by reason only that the instrument or codicil is confirmed by a codicil executed on or after that date.

(7) This section shall not affect the construction of any statutory provision where it is incorporated in and has effect as part of any deed the construction of which is not affected by this section.

1958 c. 5
(7 & 8 Eliz. 2.).

(8) This section shall not prevent the making of an adoption order or provisional adoption order under the Adoption Act 1958 in respect of a person who has attained the age of eighteen if the application for the order was made before this Act comes into force, and in relation to any such case that Act shall have effect as if this section had not been enacted.

1875 c. 61.

(9) Section 4 of the Entail Amendment (Scotland) Act 1875 (consent to disentail may be given at 21) is hereby repealed.

(10) In this section—

“statutory provision” means any enactment and any order, rule, regulation, byelaw or other instrument made in the exercise of a power conferred by any enactment; and

“deed” includes any disposition, contract, instrument or writing (not being a statutory provision), whether *inter vivos* or *mortis causa*.

Short title,
interpretation,
commencement
and extent.

2.—(1) This Act may be cited as the Age of Majority (Scotland) Act 1969.

(2) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as amended, extended or applied by or under any other enactment.

(3) This Act shall come into force on such date as the Secretary of State may appoint by order made by statutory instrument.

(4) This Act shall extend to Scotland only.

SCHEDULES

SCHEDULE 1

Section 1(3).

STATUTORY PROVISIONS AMENDED BY SUBSTITUTING
18 FOR 21 OR 25 YEARS

PART I

ENACTMENTS

<i>Short title</i>	<i>Section</i>	<i>Subject matter</i>
c. 6. The Tutors Act 1474.		Nearest agnate over 25 to be tutor.
c. 12. The Prescription Act 1617.		Prescription not to run during minority.
c. 6. The Diligence Act 1621.		Right of person under 25 and of his successor to redeem comprised lands.
c. 4. The Minority Act 1663.		Right of person under 21 to surplus of maills and duties from comprised lands.
c. 85. The Oaths of Minors Act 1681.		Ratification of writ by oath of minor not to deprive him of right of reduction.
c. 120. The Court of Session Act 1825.	Section 25.	Limitation of time for appeal to House of Lords.
c. 36. The Entail Amendment Act 1848.	Sections 1, 2 and 3.	Power to disentail.
c. 22. The Trade Union Act Amendment Act 1876.	Section 9.	Person under 21 but above 16 eligible as member of trade union but not of committee of management etc.
c. 25. The Friendly Societies Act 1896.	Section 36.	Person under 21 eligible as member of society and branches but not of committee etc.
c. 44. The Customs and Excise Act 1952.	Section 244(2)(a).	Entry invalid unless made by person over 21.
c. 46. The Hypnotism Act 1952.	Section 3.	Persons under 21 not to be hypnotised at public entertainment.
c. 63. The Trustee Savings Banks Act 1954.	Section 23.	Payments to persons under 21.
c. 5. The Adoption Act 1958.	Section 57(1).	Definition of "infant" by reference to age of 21.
c. 61. The Mental Health (Scotland) Act 1960.	Section 45(4)(c).	Provision where nearest relative of patient is under 21.
	Section 47(1).	Meaning of "nearest relative" of patient who has not attained the age of 21.
c. 57. The Trusts (Scotland) Act 1961.	Section 1(2).	Person over age of pupillarity but under 21 incapable of assenting to variation of trust purposes etc.

SCH. 1	<i>Short Title</i>	<i>Section</i>	<i>Subject matter</i>
c. 37.	The Building Societies Act 1962.	Section 9. Section 47.	Person under 21 eligible as member of building society but cannot vote or hold office. Receipt given to building society by person under 21 to be valid.
c. 2.	The Betting, Gaming and Lotteries Act 1963.	Section 22(1) and (3).	Offence of sending betting advertisements to persons under 21.
c. 12.	The Industrial and Provident Societies Act 1965.	Section 20.	Person under 21 but above 16 eligible as member of society but not of committee etc.
c. 49.	The Registration of Births, Deaths and Marriages (Scotland) Act 1965.	Section 43(5), (6) and (7).	Application for change of name etc. by person over 16 and under 21.

PART II

REGULATIONS AND RULES

<i>Title</i>	<i>Provision</i>	<i>Subject matter</i>
1929 S.R. & O. 1048. The Trustee Savings Banks Regulations 1929.	Regulation 28(2).	Payments to persons under 21.
1933 S.R. & O. 1149. The Savings Certificates Regulations 1933.	Regulation 2(1)(a). Regulation 21(2).	Persons entitled to purchase and hold certificates. Persons under disability.
1946 S.R. & O. 1156. The North of Scotland Hydro-Electric Board (Borrowing and Stock) Regulations 1946.	Regulation 36(1) and (2).	Stock held by persons under 21.
1949 S.I. 751. The Gas (Stock) Regulations 1949.	Regulation 19(1) and (2).	Stock held by persons under 21.
1953 S.I. 42. The Local and Other Authorities (Scotland) (Transfer of Stock) Regulations 1953.	Regulation 12(1) and (2).	Stock held by persons under 21.
1955 S.I. 1752. The South of Scotland Electricity Board (Borrowing and Stock) Regulations 1955.	Regulation 30(1) and (2).	Stock held by persons under 21.
1956 S.I. 1657. The Premium Savings Bonds Regulations 1956.	Regulation 2(1). Regulation 12(2).	Persons entitled to purchase and hold bonds. Persons under disability.
1957 S.I. 2228. The Electricity (Stock) Regulations 1957.	Regulation 22(1) and (2).	Stock held by persons under 21.
1963 S.I. 935. The Exchange of Securities (General) Rules 1963.	Rule 1(1).	Definition of "minor".
1965 S.I. 1420. The Government Stock Regulations 1965.	Regulation 14(1), (2), (3) and (5).	Stock held by persons under 21.
1965 S.I. 1839. The Registration of Births, Stillbirths, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1965.	Schedule 24.	Recording of change of name or surname.

SCHEDULE 2

Section 1(4).

STATUTORY PROVISIONS UNAFFECTED BY SECTION 1

1. The Regency Acts 1937 to 1953.
2. The Representation of the People Acts (and any regulations, rules or other instruments thereunder) and section 50 of the Local Government (Scotland) Act 1947 c. 43.
3. Any statutory provision relating to income tax (including surtax), capital gains tax, corporation tax or estate duty.

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