

ELIZABETH II



Succession (Scotland) Act 1973

1973 CHAPTER 25

An Act to increase the amounts of the sums payable to a surviving spouse under sections 8 and 9 of the Succession (Scotland) Act 1964 and to empower the Secretary of State by order further to increase such amounts.

[23rd May 1973]

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) In the case of a person dying after the commencement of this Act—

(a) section 8 of the Succession (Scotland) Act 1964 (prior rights of surviving spouse, on intestacy, in dwelling house and furniture) shall apply as if—

(i) for the words “£15,000” in subsection (1)(a) and (b) there were substituted the words “£30,000 or such larger amount as may from time to time be fixed by order of the Secretary of State”;

(ii) for the words “£5,000” in subsection (3)(a) and (b) there were substituted the words “£8,000 or such larger amount as may from time to time be fixed by order of the Secretary of State”;

(b) section 9 of the said Act of 1964 (prior right of surviving spouse to financial provision on intestacy) shall apply as if—

(i) for the words “£2,500, or” in subsection (1)(a) there were substituted the words “£4,000 or such larger amount as may from time to time be fixed by order of the Secretary of State, or”;

Amendment
of sections 8
and 9 of
Succession
(Scotland)
Act 1964.
1964 c. 41.

(ii) for the words “£5,000” in subsection (1)(b) there were substituted the words “£8,000 or such larger amount as may from time to time be fixed by order of the Secretary of State”;

(iii) in the proviso to the said subsection (1) for the words from “of £2,500” to “£5,000” there were substituted the words “fixed by virtue of paragraph (a) of this subsection or the sum fixed by virtue of paragraph (b) of this subsection”.

(2) Any order of the Secretary of State under this section fixing the amount of any sum payable to a surviving spouse shall have effect (and, so far as relates to that sum, shall supersede any previous order) in relation to the estate of any person dying after the coming into force of the order.

(3) Any order of the Secretary of State under this section shall be made by statutory instrument and a draft of the statutory instrument shall be laid before Parliament.

Short title.

2. This Act may be cited as the Succession (Scotland) Act 1973.

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