

Wills in Scotland

Scotland's legal system is slightly different from that of England and Wales. Separate laws apply to people who live in Scotland in relation to the rights of succession, and the rules that set out how you must write and execute a will.

Some of the main differences between Scottish law and that of England and Wales are:

- In Scotland, only one witness is needed during the signing of the will. The person making his or her will (the testator) should sign it on each page and the testator and the witness should sign the last page.
- A marriage will not invalidate an existing will.
- When a couple divorce, the divorce does not necessarily cancel any provision in a will which favours the former spouse. If you are resident in Scotland, you should consult your solicitor at the time of your divorce and, if necessary, draw up a new will.
- A will could be set aside if it makes no provision for children born after the date of the will.
- You do not have unrestricted freedom to leave your estate to anybody you please. Legal rights exist to protect certain family members (spouses, civil partners and direct descendants) from disinheritance from the deceased.

Your solicitor will be able to give you more details, or you can contact the Law Society of Scotland – www.laws Scot.org.uk – at 26 Drumsheugh Gardens, Edinburgh, EH3 7YR or telephone 0113 226 7411.

Useful contacts



For more advice, or to find a solicitor near you

The Law Society (England and Wales)
113 Chancery Lane
LONDON WC2A 1PL

0870 606 2555
contact@lawsociety.org.uk

The Law Society of Scotland
26 Drumsheugh Gardens
EDINBURGH EH3 7YR

0131 226 7411
lawscot@lawscot.org.uk

The Law Society of Northern Ireland
96 Victoria Street
BELFAST BT1 3GN

028 9023 1614
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Find out more about Lasting Powers of Attorney

The Office of the Public Guardian
PO Box 15118
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B16 6GX

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