



Executors (Scotland) Act 1900

1900 CHAPTER 55 63 and 64 Vict

7 Where confirmation ad non executa may be granted.

Where any confirmation has become inoperative by the death or incapacity of all the executors in whose favour it has been granted, no title to intromit with the estate confirmed therein shall, otherwise than in the circumstances and to the extent authorised by the preceding section, transmit to the representatives of any such executors whatever may be the extent of their beneficial interest therein, but it shall be competent to grant confirmation ad non executa to any estate contained in the original confirmation which may remain unlifted or untransferred to the persons entitled thereto, and such confirmation ad non executa shall be granted to the same persons and according to the same rules as confirmations ad omissa are at present granted, and shall be a sufficient title to continue and complete the administration of the estate contained therein, [^{F1}and it shall be competent to specify such confirmation as a midcouple or link of title for the purposes of any deduction of title in relation to such estate from the former executors] provided always that nothing herein contained shall be held to affect the rights and preferences at present conferred by confirmation on executors creditors.

Textual Amendments

F1 Words inserted by [Succession \(Scotland\) Act 1964 \(c. 41\), s. 34\(1\), Sch. 2 para. 14](#)

Changes to legislation:

There are currently no known outstanding effects for the Executors (Scotland) Act 1900, Section 7.