CANDIDATES ARE REQUIRED TO ANSWER TWO OUT OF THREE QUESTIONS.
Question 1

Mark died on 8 July 2022. He had never written a will.

Mark and John had been in a relationship for six years and had lived together for three years when Mark died suddenly of a brain haemorrhage.

Mark had previously been married to Anja, but they divorced in 2012. Their son, Luke, is now 17 years old.

Mark’s estate consists of the flat he lived in with John (with the title in Mark’s sole name), worth £225,000. There was no mortgage. His share of the furniture and his other personal possessions have been valued at £30,000. Mark also had £20,000 in a bank account and £10,000 in investments.

John seeks advice about his possible entitlement to Mark’s estate, and how he can make a claim.

Question 2

Outline and analyse the principles of Scots law applicable to revocation of wills. In your answer you should deal with:

(a) Revocation by subsequent deed;
(b) Revocation by actions of destruction;
(c) Revocation by operation of law.

Question 3

With reference to appropriate authority, explain the legal duties that trustees have in relation to making decisions on investing trust property. What practical advice would you give to trustees when considering how to invest funds, to ensure they comply with their fiduciary duties?

END OF QUESTION PAPER