

# AUSTRALIAN CAPITAL TERRITORY.

No. 7 of 1943.

## AN ORDINANCE

To amend the Administration and Probate Ordinance 1929-1938, and for other purposes.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Seat of Government Acceptance Act 1909-1938* and the *Seat of Government (Administration) Act 1910-1940* as follows:—

1.—(1.) This Ordinance may be cited as the *Administration and Probate Ordinance 1943*.<sup>\*</sup> Short title and citation.

(2.) The *Administration and Probate Ordinance 1929-1938* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Administration and Probate Ordinance 1929-1943*.

2. Expressions used in this Ordinance shall, unless the contrary intention appears, have the same meaning as those expressions have in the Principal Ordinance. Definitions.

3. Any order to collect and administer the estate of a deceased person and any order to invest moneys standing to the credit of any estate granted, or purporting to have been granted, to the Curator or to an Acting Curator by the Registrar or by an Acting Registrar on or after the first day of January, One thousand nine hundred and thirty-seven and before the commencement of this Ordinance, shall be as valid and effectual for all purposes as if this Ordinance had been in force at the time the order was made. Validation.

4. Section eighty-eight of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:— Orders to Curator to collect and administer.

“(3.) The Registrar may, on the application of the Curator, supported by affidavits upon which the Court would, in the opinion of the Registrar, grant to the Curator an order to collect and administer the estate of a deceased person, grant such an order as of course in the name and under the seal of the Court, and every such order shall be deemed to have been made by the Court.

---

<sup>\*</sup> Notified in the *Commonwealth Gazette* on 13th May, 1943.  
6015.—PRICE 3d.—N

“(4.) In any application under sub-section (3.) of this section the Registrar may make any requirement which the Court could, pursuant to sub-section (2.) of this section, make upon an application to the Court, and may make a temporary or limited order of the kind referred to in the last mentioned sub-section.

“(5.) The Registrar shall not grant an order to the Curator to collect and administer the estate of a deceased person in any case in which it appears to him to be doubtful whether the order ought to be granted.”.

Curator to  
invest  
moneys after  
expiration  
of six months.

5. Section one hundred and four of the Principal Ordinance is amended by inserting, after the word “Order” (second occurring), the words “, or as the Registrar by order issued in the name and under the seal of the Court,”.

Dated this sixth day of May, 1943.

GOWRIE

Governor-General.

By His Excellency's Command,

JOHN A. BEASLEY

for and on behalf of the Minister of State  
for the Interior.