

No. 43 of 1974

AN ORDINANCE

To amend the *Administration and Probate Ordinance 1929-1970*, as amended by the *Administration and Probate Ordinance 1974*.

I, THE GOVERNOR-GENERAL of Australia, acting with the advice of the Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910-1973*.

Dated this tenth day of October, 1974.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

LIONEL MURPHY
Attorney-General.

ADMINISTRATION AND PROBATE ORDINANCE (No. 2) 1974

1. (1) This Ordinance may be cited as the *Administration and Probate Ordinance (No. 2) 1974*.* Short title and citation.

(2) The *Administration and Probate Ordinance 1929-1970*,† as amended by the *Administration and Probate Ordinance 1974*,‡ is in this Ordinance referred to as the Principal Ordinance.

(3) Section 1 of the *Administration and Probate Ordinance 1974* is amended by omitting sub-section (2).

(4) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Administration and Probate Ordinance 1929-1974*.

2. Section 87 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1) the words "The Curator" and substituting the words "Subject to sub-section (3), the Curator"; and

(b) by adding at the end thereof the following sub-section:—

"(3) This section does not apply to or in relation to an estate the value of which does not exceed \$30,000.00."

Curator's
Commission.

* Notified in the *Australian Government Gazette* on 18 October 1974.
† Ordinance No. 18, 1929, as amended by No. 11, 1930; No. 13, 1932; No. 9, 1933; Nos. 2 and 6, 1934; Nos. 3, 13 and 27, 1937; No. 35, 1938; No. 7, 1943; No. 15, 1947; No. 16, 1950; No. 5, 1953; No. 2, 1954; No. 6, 1960; No. 20, 1965; No. 9, 1967; No. 16, 1969; and No. 25, 1970.
‡ Ordinance No. 27, 1974.

Fees.

3. Section 130 of the Principal Ordinance is amended—

(a) by omitting the words “The fees” and substituting the words “Subject to sub-section (2), the fees”; and

(b) by adding at the end thereof the following sub-section:—

“ (2) No fees are payable in respect of an estate the value of which does not exceed \$30,000.00.”.

Amendments
relating to
small
estates.

4. The Principal Ordinance is amended as set out in the Schedule to this Ordinance.

SCHEDULE

Section 4

Provision amended	Omit—	Substitute—
Section 75	Two thousand dollars	\$30,000.00
Section 77 (1) (b)	Two thousand dollars	\$30,000.00
Section 87a (1) (a)	Five hundred dollars	\$5,000.00
Section 87c (1) (b)	Two thousand dollars	\$30,000.00
Section 87c (8)	Two thousand dollars	\$30,000.00