

AUSTRALIAN CAPITAL TERRITORY

Administration and Probate (Amendment) Ordinance 1988

No. 34 of 1988

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

Dated 17 June 1988.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

GARY PUNCH
Minister of State for the Arts
and Territories

An Ordinance to amend the *Administration and Probate Ordinance 1929*

Short title

1. This Ordinance may be cited as the *Administration and Probate (Amendment) Ordinance 1988*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Administration and Probate Ordinance 1929*.²

Interpretation

3. Section 5 of the Principal Ordinance is amended—

(Ord. 18/88)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

- (a) by inserting “a” after “of” (first occurring) in the definition of “Acting Deputy Registrar” in subsection (1);
- (b) by omitting “the” from the definition of “Deputy Registrar” in subsection (1) and substituting “a”; and
- (c) by omitting “the” from paragraph (a) of the definition of “the Registrar” in subsection (1) and substituting “a”.

Registrar and Deputy Registrars of Probates

4. Section 7 of the Principal Ordinance is amended—

- (a) by omitting from subsection (2) all the words after “appoint” and substituting “such Deputy Registrars of Probates as he or she considers necessary.”;
- (b) by omitting from subsection (3) “of Probates” (wherever occurring); and
- (c) by omitting from subsection (3) “Deputy” (wherever occurring) and substituting “of a Deputy”.

Powers of acting officers and Deputy Registrars

5. Section 7A of the Principal Ordinance is amended—

- (a) by omitting from subsection (1) all the words from and including “A person” to and including “Registrar of Probates” (first occurring) and substituting “An Acting Registrar”;
- (b) by omitting from subsection (1) “of Probates” (wherever occurring);
- (c) by omitting from subsection (2) “The Deputy Registrar of Probates” and substituting “A Deputy Registrar”;
- (d) by omitting from subsection (3) all the words from and including “A person” to and including “Deputy Registrar of Probates” (first occurring) and substituting “An Acting Deputy Registrar”; and
- (e) by omitting from subsection (3) “the Deputy Registrar of Probates” and substituting “a Deputy Registrar”.

Registrar’s seal and stamps

6. Section 7B of the Principal Ordinance is amended—

- (a) by omitting from subsection (2) “the last preceding sub-section” and substituting “subsection (1)”;

- (b) by omitting from subsection (3) “the Deputy” and substituting “a Deputy”;
 - (c) by omitting from subsection (3) “marks that are facsimiles of his” and substituting “a mark that is a facsimile of his or her”; and
 - (d) by omitting subsection (4) and substituting the following subsection:
“(4) Instead of signing a document, or a copy of or an extract from a document, for the purposes of this Ordinance, the Registrar, a Deputy Registrar, an Acting Registrar or an Acting Deputy Registrar may cause the document, copy or extract to be stamped with a facsimile of his or her signature, and the document, copy or extract shall then be deemed to have been signed by that person.”.
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NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 6 July 1988.
2. 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; No. 25, 1970; Nos. 27, 43 and 47, 1974; No. 53, 1976; No. 8, 1980; No. 67, 1984; No. 9, 1985; No. 17, 1988.