

AUSTRALIAN CAPITAL TERRITORY

ADMINISTRATION AND PROBATE ORDINANCE 1969

EXPLANATORY MEMORANDUM

No. 16 of 1969

This Ordinance makes a number of amendments to the Administration and Probate Ordinance 1929-1967.

Grant on presumption of death

The amendments make it clear that where, pursuant to an undertaking by a person to whom a distribution is made to restore the property or its value if the administration is revoked, the value is to be determined at the date of distribution. Further, on revocation of a grant, the Court is given power to order the restoration of property or the payment of a sum of money which the Court considers reasonable.

Administration bonds

The amendments provide that the Registrar may dispense with an administration bond in respect of the share of an estate that passes either to the administrator himself or to persons of full legal capacity who consent in writing to the bond being dispensed with. In future, where a bond is required, the only acceptable surety will be an insurance company.

Reseals of foreign grants

The amendment will permit the Registrar to reseal foreign grants in non-contentious cases.

Administration by Curator of Estates of Deceased Persons

The limit of value of an estate which the Curator may administer without any formality is raised from \$200 to \$500. The Curator will no longer be required to make quarterly returns to the Attorney-General. His accounts will be subject to audit by the Auditor-General. More simple provision is made for the manner in which unclaimed moneys are to be dealt with by the Curator.