

AUSTRALIAN CAPITAL TERRITORY

ADMINISTRATION AND PROBATE ORDINANCE (NO. 2) 1953.

EXPLANATORY MEMORANDUM

No. 2 of 1954

The purpose of this Ordinance is to increase the minimum amount which a widow or widower takes upon an intestacy, and to amend the law relating to the maintenance of a testator's family.

Section 45 of the Administration and Probate Ordinance 1929-1953 prescribes the interests which a widow or widower and children take upon an intestacy. In the case of a spouse surviving without issue on a total intestacy, the minimum sum to which the spouse is entitled is £500. Clause 2 of this Ordinance increases this minimum to £1,000. This brings the law on this matter into line with the New South Wales law.

Clause 3 repeals the existing provisions relating to testator's family maintenance and replaces them with provisions similar to those in force in New South Wales.