

CHAPTER 48.

PROBATE EXEMPTION.

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SECTION.

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CHAPTER 48.

PROBATE EXEMPTION.

An Ordinance to amend the Law relating to Estates under Fifty Pounds of Lunatics and Deceased Persons in Special Cases. 6 of 1896.

[31ST MARCH, 1896.]

1. This Ordinance may be cited as the Probate Exemption Ordinance. Short title.

2. In this Ordinance, unless the context otherwise requires—
 “civil servant” means a person who has served in an established capacity in the permanent public service of the Colony. Interpretation.

3. Where any sum in respect of pay, pension, or other allowance or annuity is due in respect of service as a civil servant to a person who is a lunatic, whether so found by inquisition or not, such sum may be, from time to time, applied for his benefit by the Accountant General in such manner as the Accountant General may think expedient, and the Government shall be discharged from all liability in respect of any such sum as applied. Provision as to lunatics.

4. On the death of a civil servant to whom any sum not exceeding fifty pounds is due from the Government of the Colony, in respect of any civil pay, superannuation or other allowance, annuity or gratuity, then, if the Accountant General so direct, but subject to the rules (if any) made by the Governor in Council, probate or other proof of the title of the personal Distributions of money not exceeding £50 without probate.

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representative may, notwithstanding anything contained in the Administration of Estates Ordinance, be dispensed with, and the said sum may be paid or distributed to or among the persons appearing to the Accountant General to be beneficially entitled to the personal estate of the deceased person, or to or among any one or more of those persons, or in case of the illegitimacy of the deceased person or his children, to or among such persons as the Accountant General may think fit, and the Government shall be discharged from all liability in respect of any such payment or distribution.

Decision of
Governor in
Council final.

5. The decision of the Governor in Council on any question which arises as to the application of any section of this Ordinance to any person, or as to the amount of any allowance or gratuity, or as to the reckoning of any service for such allowance or gratuity shall be final.

Power of
Governor in
Council to
make rules.

6. It shall be lawful for the Governor in Council to make from time to time rules for carrying the provisions of this Ordinance into effect.

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