

ADMINISTRATION AND PROBATE ORDINANCE 1928-1940.*

An Ordinance to amend the Administration and Probate Act, 1891, of the State of South Australia, in its application to North Australia.

1 This Ordinance may be cited as the *Administration and Probate Ordinance 1928-1940*.*

Short title.
Short title amended:
No. 17, 1938,
s. 4.

1AA. In this Ordinance, unless the contrary intention appears:—

Definitions.
Inserted by
No. 11, 1940,
s. 2.

“ the Act ” means the Administration and Probate Act, 1891, of the State of South Australia, in its application to the Territory.

1AB. Section twenty-six of the Act is amended by omitting the words “ of the other Australasian colonies, or in the United Kingdom ” and inserting in their stead the words “ portion of His Majesty’s dominions ”.

Resealing of probate or administration.
Inserted by
No. 11, 1940,
s. 2.

1AC. Section twenty-eight of the Act is amended by omitting the words “ an Australasian colony, or the United Kingdom ” and inserting in their stead the words “ a portion of His Majesty’s dominions ”.

Foreign probate or administration.
Inserted by
No. 11, 1940,
s. 2.

1AD. Section twenty-nine of the Act is amended by omitting the definitions of “ Australasian colonies ” and “ United Kingdom ” and inserting in their stead the following definitions:—

Definitions.
Inserted by
No. 11, 1940,
s. 2.

“ portion of His Majesty’s dominions ” includes any territory which is under His Majesty’s protection or in respect of which a mandate under the League of Nations has been accepted by His Majesty;.

The *Administration and Probate Ordinance 1928-1940* comprises the *Administration and Probate Ordinance 1928* as amended. Particulars of the Principal Ordinance and of the amending Ordinances are set out in the following table:—

Ordinance.	Number and Year.	Date notified in Commonwealth Gazette.	Date of Commencement.
<i>Administration and Probate Ordinance 1928</i> ..	No. 11, 1928	9th June, 1928 ..	9th June, 1928
<i>Administration and Probate Ordinance 1932</i> ..	No. 2, 1932	11th February, 1932	11th February, 1932
<i>Administration and Probate Ordinance 1940</i> ..	No. 11, 1940	27th June, 1940 ..	27th June, 1940

*Administration and Probate
Ordinance 1928-1940.*

Court may order administration to be granted to the Public Trustee in certain cases.

Added by No. 2, 1932, s. 2; amended by N. 11, 1940, s. 3.

Affidavits.

Amended by No. 11, 1940, s. 4.

1A. Section forty-eight of the Act is amended by adding at the end thereof the following paragraph:—

“ VII. Where the deceased shall have died wholly or partially intestate, leaving estate within the Territory, and administration has not been granted within three months of the death of the deceased.”.

2. Section One hundred and thirteen of the Act is amended by inserting, after the word “ court ”, the words “ or before a person whose name is entered in the Register of Practitioners kept at the Principal Registry of the High Court,”.