



# Family Law Reform Act 1987

## 1987 CHAPTER 42

### PART III

#### PROPERTY RIGHTS

#### 21 Entitlement to grant of probate etc.

- (1) For the purpose of determining the person or persons who would in accordance with probate rules be entitled to a grant of probate or administration in respect of the estate of a deceased person, the deceased shall be presumed, unless the contrary is shown, not to have been survived—
  - (a) by any person related to him whose father and mother were not married to <sup>F1</sup>, or civil partners of,] each other at the time of his birth; or
  - (b) by any person whose relationship with him is deduced through such a person as is mentioned in paragraph (a) above.
- (2) In this section “probate rules” means rules of court made under section 127 of the <sup>M1</sup>[<sup>F2</sup>Senior Courts Act 1981].
- (3) This section does not apply in relation to the estate of a person dying before the coming into force of this section.

#### Textual Amendments

- F1** Words in s. 21(1)(a) inserted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **13(4)**
- F2** Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), **Sch. 11 para. 1(2)**; S.I. 2009/1604, art. 2(d)

#### Marginal Citations

- M1** 1981 c. 54.

**Changes to legislation:**

There are currently no known outstanding effects for the Family Law Reform Act 1987, Section 21.