



Law Reform (Succession) Act 1995

1995 CHAPTER 41

Distribution of estates

1 Intestacy and partial intestacy.

- (1) In the ^{M1}Administration of Estates Act 1925 (“the 1925 Act”), in section 46 (succession on intestacy) the following subsection shall be inserted after subsection (2)—
- “(2A) Where the intestate’s husband or wife survived the intestate but died before the end of the period of 28 days beginning with the day on which the intestate died, this section shall have effect as respects the intestate as if the husband or wife had not survived the intestate.”
- (2) The following provisions of the 1925 Act (which require certain payments made by an intestate, and certain interests acquired under a will of an intestate, to be brought into account) shall cease to have effect—
- (a) in section 47 (statutory trusts in favour of issue and other relatives of intestate), subsection (1)(iii);
 - (b) in section 49 (partial intestacy), in subsection (1) paragraphs (aa) and (a), and subsections (2) and (3).
- (3) Subsections (1) and (2) above have effect as respects an intestate dying on or after 1st January 1996.
- (4) In section 50 of the 1925 Act (construction of documents), the references in subsection (1) to Part IV of that Act and to the foregoing provisions of that Part shall, in relation to an instrument inter vivos made or a will or codicil coming into operation on or after 1st January 1996 (but not in relation to instruments inter vivos made or wills or codicils coming into operation earlier), be construed as including references to this section.
- (5) In this section “intestate” shall be construed in accordance with section 55(1)(vi) of the 1925 Act.

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Succession) Act 1995, Section 1. (See end of Document for details)

Marginal Citations

M1 1925 c. 23.

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