



Estates of Deceased Persons (Forfeiture Rule and Law of Succession) Act 2011

2011 CHAPTER 7

2 Disclaimer or forfeiture of a gift under a will

- (1) The Wills Act 1837 is amended as follows.
- (2) After section 33 insert—

“33A Disclaimer or forfeiture of gift

- (1) This section applies where a will contains a devise or bequest to a person who—
 - (a) disclaims it, or
 - (b) has been precluded by the forfeiture rule from acquiring it.
 - (2) The person is, unless a contrary intention appears by the will, to be treated for the purposes of this Act as having died immediately before the testator.
 - (3) But in a case within subsection (1)(b), subsection (2) does not affect the power conferred by section 2 of the Forfeiture Act 1982 (power of court to modify the forfeiture rule).
 - (4) In this section “forfeiture rule” has the same meaning as in the Forfeiture Act 1982.”.
- (3) In section 33(3) (provision that no issue with a parent alive at the testator's death may inherit) after “and so that” insert “(subject to section 33A)”.

Commencement Information

II S. 2 in force at 1.2.2012 by [S.I. 2011/2913](#), art. 2

Changes to legislation:

There are currently no known outstanding effects for the Estates of Deceased Persons (Forfeiture Rule and Law of Succession) Act 2011, Section 2.