
Changes to legislation: There are currently no known outstanding effects for the Inheritance and Trustees' Powers Act 2014, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 3

DETERMINATION OF DATE WHEN REPRESENTATION IS FIRST TAKEN OUT

- 4 (1) Schedule 1 to the Children Act 1989 (financial provision for children) is amended as follows.
- (2) In paragraph 7 (variation of orders for secured periodical payments after death of parent), for sub-paragraph (6) substitute—
- “(6) The following are to be left out of account when considering for the purposes of sub-paragraph (2) when representation was first taken out—
- (a) a grant limited to settled land or to trust property,
 - (b) any other grant that does not permit any of the estate to be distributed,
 - (c) a grant limited to real estate or to personal estate, unless a grant limited to the remainder of the estate has previously been made or is made at the same time,
 - (d) a grant, or its equivalent, made outside the United Kingdom (but see sub-paragraph (6A)).
- (6A) A grant sealed under section 2 of the Colonial Probates Act 1892 counts as a grant made in the United Kingdom for the purposes of sub-paragraph (6), but is to be taken as dated on the date of sealing.”
- (3) In paragraph 11 (alteration of maintenance agreements after death of one of the parties), for sub-paragraph (4) substitute—
- “(4) The following are to be left out of account when considering for the purposes of sub-paragraph (3) when representation was first taken out—
- (a) a grant limited to settled land or to trust property,
 - (b) any other grant that does not permit any of the estate to be distributed,
 - (c) a grant limited to real estate or to personal estate, unless a grant limited to the remainder of the estate has previously been made or is made at the same time,
 - (d) a grant, or its equivalent, made outside the United Kingdom (but see sub-paragraph (4A)).
- (4A) A grant sealed under section 2 of the Colonial Probates Act 1892 counts as a grant made in the United Kingdom for the purposes of sub-paragraph (4), but is to be taken as dated on the date of sealing.”

Commencement Information

II Sch. 3 para. 4 in force at 1.10.2014 by S.I. 2014/2039, art. 2

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