

ADMINISTRATION AND PROBATE ORDINANCE 1974

205

No. 22 of 1974

An Ordinance to amend the *Administration and Probate Ordinance 1969*

[Assented to 19 August 1974]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Administration and Probate Ordinance 1974*. Short title

2. The *Administration and Probate Ordinance 1969* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3.(1) Section 3(3) of the Principal Ordinance is amended by inserting before "the Ordinances" the words "but subject to sub-section (4)",. Repeal and saving

(2) Section 3 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

"(4) The fees prescribed by, or by Rules or Regulations made under, the Administration and Probate Act, 1891 of the State of South Australia, or that Act as amended, are not payable after the date of commencement of the *Administration and Probate Ordinance 1974* and sections 150 and 153 of this Ordinance apply after that date to and in relation to the administration of the estate of a person who has died before the date of commencement of the *Administration and Probate Ordinance 1969*."

4. Section 5 of the Principal Ordinance is repealed. Repeal of section 5

5. Section 44(2) of the Principal Ordinance is amended by omitting "3 miles" and substituting "5 kilometres". Caveat may be lodged

6. Section 101(2) of the Principal Ordinance is amended by omitting "3 miles" and substituting "5 kilometres". Every executor, &c., to be deemed resident in the Territory

Office
copies

7. Section 150 of the Principal Ordinance is amended by adding at the end the following sub-section:

“(2) Notwithstanding sub-section (1) and section 153, the Registrar shall, at the request of a person who is a party to a matter under this Ordinance, furnish to that person, free of charge, one office copy of a will or other document to which the matter relates.”.

Third
Schedule

8. The Third Schedule to the Principal Ordinance is repealed and the following Schedule substituted:

Section 153

“THIRD SCHEDULE

FEEES

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1. For the preparation, issue and service of a summons under section 91	1.50
2. For the issue and service of a summons other than a summons under section 91	2.00
3. For a typewritten office copy of a will or other document—	
(a) where there are not more than 8 folios (of 72 words each)	1.00
(b) where there are more than 8 folios, per folio	0.12
4. For an office copy, reproduced by photographic process, of a will or other document, per page	0.40”