



ANNO VICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1975

No. 87 of 1975

An Act to amend the Law of Property Act, 1936-1972.

[Assented to 20th November, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Law of Property Act Amendment Act, 1975".

(2) The Law of Property Act, 1936-1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Law of Property Act, 1936-1975".

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of
principal Act,
s. 92—
Status of
married
women.

3. Section 92 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) This section has, since the date of its enactment, conferred on a married woman the same power as is possessed by a *feme sole* to dispose of property by will, or to make any other form of testamentary provision.

Repeal of
s. 95a of
principal Act
and enactment
of section in
its place—

4. Section 95a of the principal Act is repealed and the following section is enacted and inserted in its place:—

95a. A husband and wife shall—

(a) for the purposes of the law of intestate succession;

and

Husband and
wife to be
treated as
separate
persons for
the purpose
of taking
property.

(b) for the purpose of acquisition of any interest in property pursuant to a disposition that comes into operation after the commencement of the Statutes Amendment (Law of Property and Wrongs) Act, 1972,

be treated as two persons.

5. Section 113 of the principal Act is repealed.

Repeal of
s. 113 of
principal Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor