

ADMINISTRATION AND PROBATE.

No. 50 of 1951.

AN ACT to amend the *Administration and Probate Act 1935*. [12 October, 1951.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title and citation.

1—(1) This Act may be cited as the *Administration and Probate Act 1951*.

(2) *The Administration and Probate Act 1935**, as subsequently amended, is in this Act referred to as the Principal Act.

Discretion of court as to persons to whom administration is to be granted and limitation of grant.

2 Section thirteen of the Principal Act is amended by omitting the proviso thereto and substituting therefor the following proviso:—

“ Provided that—

- I. Where the deceased died wholly intestate as to his real and personal estate, administration shall, if application is made for that purpose, be granted to some one or more of the persons interested in the residuary estate of the deceased: and
- II. If, by reason of the insolvency of the estate of the deceased or of any other special circumstances, it appears to the Court to be necessary or expedient to appoint as administrator some person other than the person who, but for this provision, would by law have been entitled to the grant of administration, the Court may, in its discretion, notwithstanding anything contained in section fourteen, appoint as administrator such person as it thinks expedient, and any administration granted under this provision may be limited in any way the Court thinks fit.”

Cf. 15 & 16 Geo. V., c. 49, s. 162 (as amended by 18 & 19 Geo. V., c. 26, s. 9).

* 26 Geo. V. No. 38. For this Act, as amended to 1936, see Reprint of Statutes, Vol. III., p. 826. Subsequently amended by 5 Geo. VI. No. 7, 7 Geo. VI. No. 33, and 11 Geo. VI. No. 41.

3 After section forty-seven of the Principal Act the following section is inserted in Part VI. :—

“47A. In this Part, unless the contrary intention appears, the expression ‘executor or administrator therein named’ includes the executor of an executor becoming, by representation, the executor of the original estate.”

Interpretation.

4 Section forty-eight of the Principal Act is amended—

(a) by inserting in paragraph 1. of subsection (1) after the word “same” the words “, and in the case of an executor of an executor the probate of the will of the deceased executor,”; and

(b) by inserting in that paragraph, after the word “copy”, the words “, or verified copies,”.

Resealing of probate, &c., granted beyond State in certain cases.

STOCK.

No. 51 of 1951.

AN ACT to amend the *Stock Act* 1932. [12 October, 1951.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Stock Act* 1951.

Short title and citation.

(2) The *Stock Act* 1932*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section nine of the Principal Act is amended by adding at the end thereof the following subsection:—

“(9) The regulations may regulate, control, and prohibit the movement of persons, and of animals, vehicles, equipment, goods, articles, and other things, into, within, and out of, quarantine grounds; and may prescribe, or authorise any prescribed officer to give directions with respect to, the conditions, measures, and precautions to be observed and taken by or with respect to any persons, and any animals, vehicles, equipment, goods, articles, and other things, moving into, within, or out of, any quarantine grounds; and may regulate generally the management and control of quarantine grounds.”

Power to Governor to establish quarantine grounds.

* 23 Geo. V. No. 54. For this Act, as amended to 1936, see Reprint of Statutes, Vol. IV., p. 129. Subsequently amended by 2 Geo. VI. No. 63, 3 & 4 Geo. VI. No. 46, 4 Geo. VI. No. 36, 11 Geo. VI. No. 71. and No. 29 of 1949.