

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE]

House of Representatives, 15 September 1970.

Words struck out by the Committee are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a double rule or with double rule before first line and after last line.

Hon. Mr Riddiford

AGE OF MAJORITY

ANALYSIS

Title	6. Related amendments to other Acts
1. Short Title and commencement	7. Related amendments to regulations
2. Interpretation	8. Transitional provisions and savings
3. Act to bind the Crown	9. Laws of Niue and Tokelau Islands
4. Age of majority	not affected
5. Attainment of particular age	Schedules

A BILL INTITULED

An Act to amend the law relating to the age of majority and to the time when a particular age is attained

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Age of Majority Act 1970.

(2) This Act shall come into force on the 1st day of 10 January 1971.

2. Interpretation—In this Act, unless the context otherwise requires,—

15 “Act” means any Act of the General Assembly; and includes any Act of the Parliament of England, of the Parliament of Great Britain, or of the Parliament of the United Kingdom, which is in force in New Zealand:

“Enactment” means any provision of any Act (other than this Act) or of any regulations or bylaws:

No. 56—2

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“Instrument” means any written document of whatever nature (not being an enactment):

“Regulations” mean regulations within the meaning of the Regulations Act 1936.

3. Act to bind the Crown—This Act shall bind the Crown. 5

4. Age of majority—(1) For all the purposes of the law of New Zealand a person shall attain full age on attaining the age of 20 years.

(2) In the absence of a definition or of any indication of a contrary intention, the expressions “adult”, “full age”, “infant”, “infancy”, “minor”, “minority”, “full capacity”, “majority”, and similar expressions in any enactment or instrument shall be construed in accordance with subsection (1) of this section. 10

(3) This section shall not affect any reference in any enactment or instrument to an age expressed in years. 15

5. Attainment of particular age—For all the purposes of the law of New Zealand the time at which a person attains a particular age expressed in years shall be the commencement of the relevant anniversary of the date of his birth. 20

6. Related amendments to other Acts—The Acts specified in the First Schedule to this Act are hereby amended in the manner indicated in that Schedule.

7. Related amendments to regulations—(1) The regulations specified in the Second Schedule to this Act are hereby amended in the manner indicated in that Schedule. 25

(2) The amendment by this section of the regulations specified in the Second Schedule to this Act shall be without prejudice to any power of amending or revoking those regulations. 30

(3) The Governor-General may from time to time, by Order in Council, consequentially revoke the Second Schedule to this Act or any part of that Schedule.

8. Transitional provisions and savings—Sections 4 to 7 of this Act shall be subject to the transitional provisions and savings set out in the Third Schedule to this Act. 35

9. Laws of Niue and Tokelau Islands not affected—Nothing in this Act shall affect the law as it applies to Niue and the Tokelau Islands.

SCHEDULES

FIRST SCHEDULE

Section 6

ACTS AMENDED

Act Amended	Amendment
1924, No. 11—The Acts Interpretation Act 1924 (Reprinted 1966 Statutes, Vol. 3, p. 1973)	By omitting from the definition of the term “minor” in section 4 the word “twenty-one”, and substituting the word “twenty”.
1955, No. 93—The Adoption Act 1955 (1957 Reprint, Vol. 1, p. 79)	By omitting from the definition of the term “child” in section 2 the word “twenty-one”, and substituting the word “twenty”. By omitting from paragraph (a) of subsection (1) of section 4, and also from paragraph (b) of that subsection, the word “twenty-one”, and substituting in each case the word “twenty”.
1962, No. 137—The Agricultural Workers Act 1962	By omitting from paragraph (b) of subsection (1) of section 27 the word “twenty-one”, and substituting the word “twenty”.
1948, No. 22—The Apprentices Act 1948 (1957 Reprint, Vol. 1, p. 270)	By omitting from subsection (2) of section 20 (as substituted by section 6 (1) of the Apprentices Amendment Act 1961), and also from sections 26 to 29, the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1958, No. 21—The Arms Act 1958	By omitting from subsection (3) of section 8, and also from subsection (4) of that section, the word “twenty-one”, and substituting in each case the word “twenty”.
1951, No. 22—The Births and Deaths Registration Act 1951 (1957 Reprint, Vol. 1, p. 591)	By omitting from subsection (1) of section 17A, and also from subsection (2) of that section, the word “twenty-one”, and substituting in each case the word “twenty”. By omitting from the first proviso to subsection (2) of section 17A the word “eighteen”, and substituting the word “sixteen”.
1948, No. 15—The British Nationality and New Zealand Citizenship Act 1948 (Reprinted 1967 Statutes, Vol. 3, p. 1645)	By omitting from subsection (8) of section 2 the word “twenty-one”, and substituting the word “twenty”. By omitting from paragraph (a) of subsection (1) of section 12 the word “twenty”, and substituting the word “nineteen”.

FIRST SCHEDULE—*continued*ACTS AMENDED—*continued*

Act Amended	Amendment
1965, No. 22—The Building Societies Act 1965	By omitting from section 25, and also from section 62, the word “twenty-one”, and substituting in each case the word “twenty”.
1945, No. 27—The Bush Workers Act 1945 (1957 Reprint, Vol. 1, p. 721)	By omitting from paragraph (b) of subsection (1) of section 7 (as substituted by section 4 of the Bush Workers Amendment Act 1967) the word “twenty-one”, and substituting the word “twenty”.
1925, No. 22—The Child Welfare Act 1925 (1957 Reprint, Vol. 2, p. 4)	By omitting from section 18, and also from sections 21 to 23, the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1948, No. 48—The Child Welfare Amendment Act 1948 (1957 Reprint, Vol. 2, p. 47)	By omitting from subsection (2) of section 7 the word “twenty-one”, and substituting the word “twenty”.
1961, No. 43—The Crimes Act 1961	By omitting from subsection (1) of section 131 the word “twenty-one”, and substituting the word “twenty”.
1963, No. 134—The Criminal Injuries Compensation Act 1963	By omitting from paragraph (b) of the definition of the term “child” in subsection (1) of section 2 (as amended by section 2 (1) of the Criminal Injuries Compensation Amendment Act 1969) the words “21 years”, and substituting the words “20 years”.
1966, No. 19—The Customs Act 1966	By omitting from subsection (3) of section 20 the word “twenty-one”, and substituting the word “twenty”.
1968, No. 62—The Domestic Proceedings Act 1968	By omitting from subsection (4) of section 229 the word “twenty-one”, and substituting the word “twenty”.
1968, No. 35—The Estate and Gift Duties Act 1968	By omitting from subsection (7) of section 39, and also from subsection (2) of section 58, the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1968, No. 35—The Estate and Gift Duties Act 1968	By omitting from the definition of the term “infant child of the deceased” in subsection (1) of section 2, and also from subsection (2) of section 35, the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.

FIRST SCHEDULE—*continued*ACTS AMENDED—*continued*

Act Amended	Amendment
1957, No. 19—The Explosives Act 1957 (1957 Reprint, Vol. 4, p. 731)	By omitting from subsection (1) of section 37 the word “twenty-one” in both places where it occurs, and substituting in each case the word “twenty”.
1946, No. 43—The Factories Act 1946 (1957 Reprint, Vol. 4, p. 775)	By omitting from paragraph (b) of subsection (1) of section 15 the word “twenty-one”, and substituting the word “twenty”.
1908, No. 61—The Fencing Act 1908 (1957 Reprint, Vol. 4, p. 869)	By omitting from section 46 the words “the full age of twenty-one years”, and substituting the words “full age”.
1909, No. 12—The Friendly Societies Act 1909 (1957 Reprint, Vol. 5, p. 433)	By omitting from section 91 the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1910, No. 56—The Gaming Amendment Act 1910 (1957 Reprint, Vol. 5, pp. 522, 562)	By omitting from section 8 (as amended by section 10 of the Gaming Amendment Act 1953) the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
<i>New</i>	
1949, No. 32—The Gaming Amendment Act 1949 (1957 Reprint, Vol. 5, pp. 546, 564)	By omitting from section 8A (as inserted by section 9 of the Gaming Amendment Act 1953) the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1949, No. 40—The Government Railways Act 1949 (1957 Reprint, Vol. 5, p. 693)	By omitting from section 83B (as inserted by section 4 (1) of the Government Railways Amendment Act 1967), and also from section 83C (as so inserted), the word “twenty-one” wherever it occurs, and substituting in each case the word “twenty”.
1968, No. 63—The Guardianship Act 1968	By omitting from the definition of the term “child” in section 2, and also from subsection (4) of section 7, subsection (1) of section 8, subsection (4) of section 9, and subsection (1) of section 21, the word “twenty-one”, and substituting in each case the word “twenty”.
1956, No. 65—The Health Act 1956 (1957 Reprint, Vol. 6, p. 1)	By omitting from subsection (2) of section 126B (as inserted by section 2 of the Health Amendment Act 1961) the word “twenty-one”, and substituting the word “twenty”.
1957, No. 40—The Hospitals Act 1957 (1957 Reprint, Vol. 6, p. 119)	By omitting from paragraph (c) of subsection (3) of section 78A (as inserted by section 10 (1) of the Hospitals Amendment Act 1968) the word “twenty-one”, and substituting the word “twenty”.

FIRST SCHEDULE—*continued*ACTS AMENDED—*continued*

Act Amended,	Amendment
1908, No. 81—The Industrial and Provident Societies Act 1908 (1957 Reprint, Vol. 6, p. 390)	By omitting from paragraph (j) of section 9 the word “twenty-one”, and substituting the word “twenty”.
1954, No. 72—The Industrial Conciliation and Arbitration Act 1954 (1957 Reprint, Vol. 6, p. 447)	By omitting from paragraph (b) of subsection (1) of section 181 the word “twenty-one”, and substituting the word “twenty”.
1908, No. 90—The Juries Act 1908 (Reprinted 1965 Statutes, Vol. 3, p. 1429)	By omitting from section 3 the word “twenty-one”, and substituting the word “twenty”.
1948, No. 64—The Land Act 1948 (1957 Reprint, Vol. 7, p. 1)	By omitting from subsection (2) of section 70 the words “the full age of twenty-one years”, and substituting the words “full age”.
1954, No. 67—The Land and Income Tax Act 1954 (Reprinted 1969 Statutes, Vol. 3)	By omitting from subsection (4) of section 105, and also from paragraph (b) of subsection (6) of section 106, the words “21 years” wherever they occur, and substituting in each case the words “20 years”.
1956, No. 63—The Local Authorities Loans Act 1956 (1957 Reprint, Vol. 8, p. 443)	By omitting from section 70 the words “the age of twenty-one years”, and substituting the words “full age”.
1947, No. 16—The Magistrates’ Courts Act 1947 (1957 Reprint, Vol. 8, p. 647)	By omitting from subsection (1) of section 50 the word “twenty-one”, and substituting the word “twenty”.
1953, No. 94—The Maori Affairs Act 1953 (Reprinted 1968 Statutes, Vol. 3, p. 2199)	By omitting from subsection (3) of section 94 the words “the age of twenty-one years”, and substituting the words “full age”.
1938, No. 17—The Maori Housing Amendment Act 1938 (1957 Reprint, Vol. 9, p. 18)	By omitting from subsection (2) of section 4A (as inserted by section 32 of the Maori Purposes Act 1959) the word “twenty-one”, and substituting the word “twenty”.
1962, No. 133—The Maori Welfare Act 1962	By omitting from subsection (3) of section 19, and also from subsection (4) of that section, the words “over the age of twenty-one”, and substituting in each case the words “of or over the age of twenty”.

FIRST SCHEDULE—*continued*ACTS AMENDED—*continued*

Act Amended	Amendment
1955, No. 92—The Marriage Act 1955 (1957 Reprint, Vol. 9, p. 365)	By omitting from subsection (3) of section 42 the word "twenty-one", and substituting the word "twenty".
1969, No. 16—The Mental Health Act 1969	By omitting from paragraph (c) of subsection (1) of section 78 the word "twenty-one", and substituting the word "twenty".
1945, No. 44—The Minimum Wage Act 1945 (1957 Reprint, Vol. 9, p. 861)	By omitting from subsection (1) of section 2, and also from section 3, the word "twenty-one", and substituting in each case the word "twenty".
1926, No. 15—The Mining Act 1926 (1957 Reprint, Vol. 10, p. 1)	By omitting from section 343 the words "the full age of twenty-one years", and substituting the words "full age".
1969, No. 41—The Minors Contracts Act 1969	By omitting from subsection (5) of section 12 the word "twenty-one", and substituting the word "twenty".
1958, No. 112—The Motor-Vehicle Dealers Act 1958 (Reprinted 1968 Statutes, Vol. 3, p. 2539)	By omitting from paragraph (a) of subsection (1) of section 10 the word "twenty-one", and substituting the word "twenty".
1963, No. 26—The New Zealand Foundation for the Blind Act 1963	By omitting from subsection (2) of section 4 the word "twenty-one", and substituting the word "twenty".
1953, No. 74—The New Zealand Loans Act 1953 (1957 Reprint, Vol. 11, p. 193)	By omitting from section 24 the words "the age of twenty-one years", and substituting the words "full age".
1960, No. 97—The Poisons Act 1960	By omitting from subsection (2) of section 15 the word "twenty-one", and substituting the word "twenty".
1959, No. 30—The Post Office Act 1959	By omitting from section 222A (as inserted by section 3 (1) of the Post Office Amendment Act 1967) the word "twenty-one" wherever it occurs, and substituting in each case the word "twenty".
1952, No. 51—The Property Law Act 1952 (1957 Reprint, Vol. 12, p. 133)	By omitting from subsection (1) of section 23 the word "twenty-one", and substituting the word "twenty".
	By omitting from subsection (2) of section 133 the words "the full age of twenty-one years", and substituting the words "full age".

FIRST SCHEDULE—*continued*ACTS AMENDED—*continued*

Act Amended	Amendment
1957, No. 36—The Public Trust Office Act 1957 (1957 Reprint, Vol. 12, p. 387)	By omitting from subsection (1) of section 38 the word "twenty-one" in both places where it occurs and substituting in each case the word "twenty".
1955, No. 32—The Shops and Offices Act 1955 (1957 Reprint, Vol. 14, p. 431)	By omitting from paragraph (b) of subsection (2) of section 20, and also from paragraph (b) of subsection (1) of section 30, the word "twenty-one", and substituting in each case the word "twenty".
1908, No. 180—The Shorthand Reporters Act 1908 (1957 Reprint, Vol. 14, p. 467)	By omitting from paragraph (b) of subsection (2) of section 2 the word "twenty-one", and substituting the word "twenty".
1946, No. 40—The Statutes Amendment Act 1946 (1957 Reprint, Vol. 15, pp. 159, 162, 875)	By omitting from subsection (10) of section 75 the word "twenty-one", and substituting the word "twenty".
1908, No. 196—The Trade Unions Act 1908 (1957 Reprint, Vol. 15, p. 827)	By omitting from section 21 the word "twenty-one", and substituting the word "twenty".
1956, No. 61—The Trustee Act 1956 (Reprinted 1968 Statutes, Vol. 4, p. 3279)	By omitting from paragraph (b) of subsection (1) of section 40, and also from paragraph (a) of subsection (2) of that section, the word "twenty-one" wherever it occurs, and substituting in each case the word "twenty".
1956, No. 62—The Workers' Compensation Act 1956 (Reprinted 1966 Statutes, Vol. 4, p. 3326)	By omitting from subsection (2) of section 36, subsection (4) of section 37, and section 67, the word "twenty-one" wherever it occurs, and substituting in each case the word "twenty".

SECOND SCHEDULE

Section 7 (1)

REGULATIONS AMENDED

Title	Amendment
The Agricultural Workers (Farms and Stations) Extension Order 1952 (S.R. 1952/206)	By omitting from clause 1 of the First Schedule (as amended by clause 2 of the Agricultural Workers (Farms and Stations) Extension Order 1952, Amendment No. 4) the words "Of the age of 20 but under 21 years 7 11 0". By omitting from clause 1 of the First Schedule (as so amended) the words "21 years" wherever they occur, and substituting in each case the words "20 years".
The Agricultural Workers (Tobacco Companies) Order 1967 (S.R. 1967/167)	By omitting from paragraph (b) of subclause (1) of clause 8 of the First Schedule the words "21 years", and substituting the words "20 years".
The Agricultural Workers (Tobacco Growers) Order 1969 (S.R. 1969/57)	By omitting from paragraph (b) of subclause (1) of clause 7 of the Schedule the words "21 years", and substituting the words "20 years".
The Agricultural Workers Wages Order 1960 (S.R. 1960/23)	By revoking paragraph (e) of subclause (1) of clause 3. By omitting from paragraph (f) of subclause (1) of clause 3 the words "21 years", and substituting the words "20 years".
The Apprentices Regulations 1963 (S.R. 1963/80)	By omitting from subclause (1) of regulation 23 the words "21 years", and substituting the words "20 years".
The Arms Regulations 1959 (S.R. 1959/5)	By omitting from regulation 14 (as amended by regulation 5 of the Arms Regulations 1959, Amendment No. 7), and also from regulation 15 (as substituted by regulation 6 (1) of the Arms Regulations 1959, Amendment No. 7) and from forms 3 and 3A in the First Schedule (as amended by regulation 5 (3) of the Arms Regulations 1959, Amendment No. 7), the words "21 years" wherever they occur, and substituting in each case the words "20 years".
The Child Care Centre Regulations 1960 (S.R. 1960/167)	By omitting from subclause (2) of regulation 4 the words "21 years", and substituting the words "20 years".
The Child Welfare (Forms and Procedure) Regulations 1926 (<i>Gazette</i> , 1926, Vol. 1, p. 1111)	By omitting from form C.W. 12 (Discharge of Inmate) in the Schedule, and also from form C.W. 16 (Order Extending Period of Control) in the Schedule, the words "twenty-one years", and substituting in each case the words "20 years".

SECOND SCHEDULE—*continued*REGULATIONS AMENDED—*continued*

Title	Amendment
The Child Welfare (Immigrant Children) Regulations 1949 (S.R. 1949/74)	By omitting from the form numbered 1 in the Schedule the word "twenty-one", and substituting the word "twenty".
The Coal Mines Regulations 1939 (Reprinted with Amendments Nos. 1 to 13 incorporated: S.R. 1968/82)	By omitting from subclause (2) of regulation 9 the words "21 years", and substituting the words "20 years".
The Compensation Court Rules 1959 (S.R. 1959/183)	By omitting from rule 37 the words "the full age of 21 years", and substituting the words "full age".
The Explosives Regulations 1959 (S.R. 1959/126)	By omitting from regulation 19F (as inserted by regulation 2 of the Explosives Regulations 1959, Amendment No. 1), and also from subclause (2) of regulation 48, the words "21 years" wherever they occur, and substituting in each case the words "20 years".
The Government Railways (Staff) Regulations 1953 (Reprinted with Amendments Nos. 1 to 22 incorporated: S.R. 1964/197)	By omitting from the table in subclause (1) of regulation 8 the number "21" in both places where it appears in the column headed "Minimum Years", and substituting in each case the number "20".
The Health Inspectors Qualifications Regulations 1958 (S.R. 1958/45)	By omitting from paragraph (d) of subclause (5) of regulation 174 the word "twenty-first", and substituting the word "twentieth".
The Juries Regulations 1964 (S.R. 1964/58)	By omitting from paragraph 3 of the form of indenture of apprenticeship in the Third Schedule (as added by regulation 13 of the Government Railways (Staff) Regulations 1953, Amendment No. 28) the word "twenty-one", and substituting the word "twenty".
The Maori Welfare Regulations 1963 (S.R. 1963/87)	By omitting from regulation 6 the word "twenty-one", and substituting the word "twenty".
The Juries Regulations 1964 (S.R. 1964/58)	By omitting from form 2 in the Schedule the words "21 years", and substituting the words "20 years".
The Maori Welfare Regulations 1963 (S.R. 1963/87)	By omitting from subclause (2) of regulation 3 the words "21 years", and substituting the words "20 years".

SECOND SCHEDULE—*continued*REGULATIONS AMENDED—*continued*

Title	Amendment
The Matrimonial Proceedings Rules (S.R. 1964/181)	By omitting from subclause (1) of rule 21 the words "21 years", and substituting the words "20 years".
The Post Office Savings Bank Regulations 1944 (S.R. 1944/177)	By omitting from paragraph (a) of the proviso to subclause (1) of regulation 48 the words "twenty-one years"; and substituting the words "20 years".
The Private Savings Banks Regulations 1964 (S.R. 1964/138)	By omitting from paragraph (a) of the proviso to subclause (1) of regulation 50 the words "21 years", and substituting the words "20 years".
The Shorthand Reporters Regulations 1953 (S.R. 1953/63)	By omitting from paragraph (c) of regulation 7 the words "twenty-one years", and substituting the words "20 years".
The Tram-drivers Regulations 1947 (S.R. 1947/22)	By omitting from regulation 9 the words "twenty-one years", and substituting the words "20 years".
The Trustee Savings Banks Regulations 1949 (Reprinted with Amendments Nos. 1 to 8 incorporated: S.R. 1967/65)	By omitting from paragraph (a) of the proviso to subclause (1) of regulation 71 the words "21 years", and substituting the words "20 years".

Section 8

THIRD SCHEDULE

TRANSITIONAL PROVISIONS AND SAVINGS

Attainment of Full Age by Person Aged Between 20 and 21 at the Commencement of the Act

1. Where at the commencement of this Act a person has attained the age of 20 years but has not attained the age of 21 years he shall attain full age on 1 January 1971.

Application of Act to Instruments (Other than Wills) Executed or Made Before the Commencement of the Act and to Wills of Testators Who Have Died Before the Commencement of the Act
Struck Out

2. (1) Except to the extent that section 4 of this Act and clause 1 of this Schedule enable a person to give a receipt or a discharge, nothing in this Act (other than section 5 and clauses 3 to 9 of this Schedule) shall apply in respect of—

(a) Any instrument (other than a will or other testamentary disposition) executed or made before the commencement of this Act; or

(b) The will or other testamentary disposition of any testator who has died before the commencement of this Act,—
and every such instrument, will, and testamentary disposition shall have effect as if this Act (other than section 5 and clauses 3 to 9 of this Schedule) had not been enacted.

New

(1) The following, namely,—

(a) Every instrument (other than a will or other testamentary disposition) executed or made before the commencement of this Act; and

(b) The will or other testamentary disposition of any testator who has died before the commencement of this Act,—
shall be construed as if this Act (other than section 5 and clauses 2 to 10 of this Schedule) had not been passed.

(2) For the purposes of this clause and for the avoidance of doubt, it is hereby declared that the term “instrument” includes every award, industrial agreement, determination, or instrument of authority relating to remuneration or conditions of employment; and includes the Agricultural Workers (Market Gardens) Order 1967 and the Agricultural Workers (Orchardists) Order 1965, but does not include any other enactment.

*Struck Out**Application of Act to the Estates of Persons Who Die Intestate Before the Commencement of the Act*

3. Except to the extent that section 4 of this Act and clause 1 of this Schedule enable a person to give a receipt or a discharge, the estates of all persons who have died intestate as to the whole or any part thereof before the commencement of this Act shall be distributed in accordance with the enactments and rules of law which would have applied to them if this Act (other than section 5) had not been passed.

THIRD SCHEDULE—*continued*

TRANSITIONAL PROVISIONS AND SAVINGS—*continued*

New

Distribution of Property as to Which Persons Die Intestate Before the Commencement of the Act

3. Except to the extent that section 4 of this Act and clause 1 of this Schedule enable a person to give a receipt or a discharge, or to assign or otherwise dispose of or disclaim rights or property, all property as to which any person has died intestate before the commencement of this Act shall be distributed in accordance with the enactments and rules of law which would have applied to it if this Act (other than section 5 and clauses 2 to 10 of this Schedule) had not been passed.

Funds Recovered

4. Any order or directions in force immediately before the commencement of this Act and made pursuant to any enactment relating to the control of money recovered by or otherwise payable to a minor in any proceedings or as the result of the compromise or settlement of any claim for money or damages shall have effect as if any reference to the minor's attaining the age of 21 years or full age (however expressed) were a reference to his attaining the age of 20 years, or in relation to a person who by virtue of clause 1 of this Schedule attains full age on the 1st day of January 1971, to that date.

Wardship and Custody Orders

5. Any order in force immediately before the commencement of this Act—

- (a) Making a person a ward of court; or
- (b) Made under the Guardianship Act 1968 or any enactment repealed by that Act,—

which is expressed to continue in force until the person who is the subject of the order attains the age of 21 years or full age (however expressed), shall have effect as if the reference to his attaining that age were a reference to his attaining the age of 20 years, or in relation to a person who by virtue of clause 1 of this Schedule attains full age on the 1st day of January 1971, to that date.

Maintenance Agreements and Orders

6. Nothing in this Act shall affect the liability of any person to pay maintenance under any agreement or order which is in force immediately before the commencement of this Act.

Vested Interests

7. Nothing in this Act shall affect any estate, right, or interest in any real or personal property to which any person has become absolutely entitled, whether beneficially or otherwise, before the commencement of this Act.

*New**Trustees' Powers of Maintenance and Advancement*

7A. (1) Where any trustee is empowered or directed by the provisions of the will or other testamentary disposition executed or made before the date of the commencement of this Act of a testator who dies on or after that date to pay or apply any income or any capital money or other capital asset for the maintenance, education, advancement, or benefit of any person, nothing in this Act shall have the effect of limiting that power or direction.

(2) Where by any instrument executed or made before the date of the commencement of this Act or by any enactment in force immediately before the commencement of this Act any trustee is empowered or directed to pay income to the parent or guardian of any person, or to apply it for the maintenance, education, advancement, or benefit of any person, the trustee shall also have power to pay it to that person himself if that person has attained the age of 20 years.

(3) Notwithstanding any rule of law, any will or other testamentary disposition executed or made before the date of the commencement of this Act shall not be treated for the purposes of this clause as executed or made on or after that date by reason only that the will or other testamentary disposition is confirmed by a codicil made or executed on or after that date.

Adoption Orders

8. This Act shall not prevent the making of an adoption order or interim adoption order under the Adoption Act 1955 in respect of a person who has attained the age of 20 years if the application for the order was made before the commencement of this Act, and in relation to any such case that Act shall have effect as if this Act had not been enacted.

Limitation of Actions

9. The change by virtue of this Act in the construction of subsection (2) of section 2 of the Limitation Act 1950 (limitation in the case of a person under disability) shall not affect the time for bringing proceedings in respect of a cause of action which arose before the commencement of this Act.

Enactments Incorporated in Instruments

10. This Act (other than section 5 and clauses (3 to 9) 2 to 10 of this Schedule shall not affect the construction of any enactment where it is incorporated in and has effect as part of any instrument the construction of which is not affected by this Act (other than section 5 and clauses (3 to 9) 2 to 10 of this Schedule.