

New Parliament.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,
6th November, 1879.

Hon. Mr. Whitaker.

Intercolonial Probate.

ANALYSIS.

<p>Title. Preamble.</p> <p>1. Short Title. Commencement of Act.</p> <p>2. Interpretation. "Australasian Colonies." "Probate." "Letters of Administration."</p>	<p>3. Probates and administrations granted in other colonies to be of like force as if granted in New Zealand on being resealed.</p> <p>4. Seal not to be affixed till duty is paid. And as to administration till bond is entered into.</p>
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A BILL INTITLED

AN ACT to give effect in New Zealand to Probates and Letters of Administration granted in the other Australasian Colonies. Title.

WHEREAS it is expedient to give to probates and letters of administration granted in the other Australasian Colonies the like force and effect as if originally granted in New Zealand, upon the same being resealed: Preamble.

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

1. The Short Title of this Act is "The Intercolonial Probate Act, 1879." Short Title.

10 2. In the construction and for the purposes of this Act, and of all proceedings thereunder, the following terms shall have the respective meanings hereafter assigned to them, except where there is something in the context repugnant to such construction, that is to say,— Interpretation.

15 "Australasian Colonies" shall mean the Colonies of New South Wales, Victoria, South Australia, Western Australia, Queensland, Tasmania, and Fiji. "Australasian Colonies."

"Probate" shall include exemplification of probate. "Probate."

"Letters of administration" shall include exemplification of letters of administration. "Letters of Administration."

20 3. When any probate or letters of administration heretofore or hereafter to be granted by the Supreme Court of any of the other Australasian Colonies shall be produced to and a copy thereof deposited with the Registrar of the Supreme Court of New Zealand, such probate or letters of administration shall be sealed with the seal of the last-mentioned Court, and shall have the like force and effect and have the same operation in New Zealand, and every executor and administrator thereunder shall perform the same duties and be subject to the same liabilities as if such probate or letters of administration had been originally granted by the Supreme Court of New Zealand. Probates and administrations granted in other colonies to be of like force as if granted in New Zealand on being resealed.

25 4. The seal of the Supreme Court of New Zealand shall not be affixed to any probate or letters of administration granted in any of the other Australasian Colonies, so as to give operation thereto as if the grant had been made by the Supreme Court of New Zealand, until all such probate, stamp, succession, and other duties and fees have been paid, as would have been payable if such probate or letters of administration had been originally granted by the Supreme Court of New Zealand; and, further, such letters of administration shall not be so sealed until such bond has been entered into as would have been required if such letters had been originally granted by the said Supreme Court. Seal not to be affixed till duty is paid.

35 And as to administration till bond is entered into.