Draft Order laid before Parliament under section 1(4) of the Family Provision Act 1966 on 12 November 2008; draft to lie for forty days, pursuant to section 6(1) of the Statutory Instruments Act 1946, during which period either House of Parliament may resolve that the Order not be made.

DRAFT STATUTORY INSTRUMENTS

2008 No.

FAMILY PROVISION

The Family Provision (Intestate Succession) Order 2008

Made - - - -	*****
Coming into force - -	*1st February 2009*

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 1(1)(a) and (b) of the Family Provision Act 1966(**1**).

In accordance with section 1(4) of that Act, a draft of this Order was laid before Parliament for forty days during which period neither House resolved that the Order not be made.

Citation and commencement

1. This Order may be cited as the Family Provision (Intestate Succession) Order 2008 and shall come into force on 1st February 2009.

Statutory legacy

2. In the case of a person dying after this Order comes into force, section 46(1) of the Administration of Estates Act 1925(**2**) shall apply as if the net sums charged by paragraph (i) on the residuary estate were—

(a) under paragraph (2) of the Table, the sum of £250,000; and

(b) under paragraph (3) of the Table, the sum of £450,000.

(**1**) 1966 c. 35. Section 1 was amended by section 71 of the Civil Partnership Act 2004 (c. 33).

(**2**) 1925 c. 23. Section 46(1) was, so far as is relevant, amended by section 1 of the Intestates' Estates Act 1952 (c. 64), by section 1 of the Family Provision Act 1966 (c. 35) and by section 71 of the Civil Partnership Act 2004 (c. 33).