1981 No. 124

ADMINISTRATION OF ESTATES

Administration of Estates (Rights of Surviving Spouse) Order (Northern Ireland) 1981

Made . . . . . *14th April 1981*

Coming into operation . . . *1st June 1981*

To be laid before Parliament under paragraph 3(3) *of Schedule* 1 *to the Northern Ireland Act 1974*

The Department of Finance, in exercise of the powers conferred by section 7(4A) of the Administration of Estates Act (Northern Ireland) 1955(**a**) as inserted by section 1(*c*) of the Family Provision Act (Northern Ireland) 1969(**b**) and now vested in it(**c**), and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Administration of Estates (Rights of Surviving Spouse) Order (Northern Ireland) 1981 and shall come into operation on 1st June 1981.

Increase of net sum payable to surviving spouse on intestacy

2. In relation to the estate of a person dying after the coming into operation of this Order, section 7 of the Administration of Estates Act (Northern Ireland) 1955 shall be amended as follows:

(*a*) in subsection (2) (which provides that where an intestate dies leaving a spouse and issue the surviving spouse takes, in addition to the personal chattels, the whole of the remaining estate where its net value does not exceed £25,000(**d**) and where it exceeds that amount takes £25,000 together with interest thereon and a share of the residue) for "£25,000" wherever it occurs there shall be substituted "£40,000";

(*b*) in subsection (4) (which provides that, where an intestate dies leaving a spouse and no issue but leaving other near relatives, the surviving spouse takes, in addition to the personal chattels, the whole of the remaining estate where its net value does not exceed £55,000(**d**) and where it exceeds that amount takes £55,000 together with interest thereon and a share of the residue) for "£55,000" wherever it occurs there shall be substituted "£85,000".

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 14th April 1981.

(L.S.) *E. J. A. Boston*
Assistant Secretary

(**a**) 1955 c. 24 (N.I.)
(**b**) 1969 c. 38 (N.I.)
(**c**) Formerly in the Minister of Home Affairs: *see* S.R. & O. (N.I.) 1973 No. 504 art. 5(*d*); 1974 c. 28 Sch. 1 para. 2(1)(*b*)
(**d**) *See* S.R. 1977 No. 283