1977 No. 283

ADMINISTRATION OF ESTATES

Administration of Estates (Rights of Surviving Spouse) Order (Northern Ireland) 1977

Made . . . . . 30*th September* 1977
Coming into operation . . . 1*st January* 1978
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:

Title and commencement

1. This Order may be cited as the Administration of Estates (Rights of Surviving Spouse) Order (Northern Ireland) 1977 and shall come into operation on 1st January 1978.

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 £7,500(**d**) and where it exceeds that amount takes £7,500 together with interest thereon and a share of the residue) for the words "seven thousand five hundred pounds" wherever they occur there shall be substituted "£25,000";

(*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 £20,000(**d**) and where it exceeds that amount takes £20,000 together with interest thereon and a share of the residue) for the words "twenty thousand pounds" wherever they occur there shall be substituted "£55,000".

Sealed with the Official Seal of the Department of Finance for Northern Ireland on 30th September 1977.

(L.S.) *R. M. MacDonald*
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*) (II, p. 2992); 1974 c. 28 Sch. 1 para. 2(1)(*b*)
(**d**) *See* S.R. & O. (N.I.) 1973 No. 199 (I, p. 1025)