

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

R. E. WARD,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 25 October, 1977.*

New South Wales



ANNO VICESIMO SEXTO

ELIZABETHÆ II REGINÆ

Act No. , 1977.

An Act to amend the Testator's Family Maintenance and Guardianship of Infants Act, 1916, with respect to claims against the estate of a testator or an intestate.

BE

*Testator's Family Maintenance and Guardianship of Infants
(Amendment).*

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Testator's Family Main- Short title.
tenance and Guardianship of Infants (Amendment) Act,
1977".

2. (1) Except as provided in subsection (2), this Act Commence
shall commence on the date of assent to this Act. ment.

10 (2) Section 3 shall commence on the day that section
5 of the Wills, Probate and Administration (Amendment)
Act, 1977, commences.

3. The Testator's Family Maintenance and Guardianship Amendment
of Infants Act, 1916, is amended by omitting section 11 and of Act No.
15 by inserting instead the following section :— 41, 1916.
Sec. 11.

 11. (1) Where an executor or administrator of the Distribution
estate of a testator or an intestate has published notices of assets.
in or to the effect of the form prescribed by rules of
court requiring the claims of beneficiaries (including
20 children conceived but not yet born at the death of the
testator or intestate), creditors and other persons in
respect of the assets of that estate to be submitted to
the executor or administrator by or on behalf of those
beneficiaries or by those creditors or other persons, the
25 executor or administrator may, at the expiration of the
period for submitting those claims specified in the notices
or, as the case may be, specified in the last of the notices,
distribute the assets, or any part of the assets, of that
estate among the persons entitled, having regard to any
30 applications under this Act of which the executor or
administrator has notice at the time of the distribution.

*Testator's Family Maintenance and Guardianship of Infants
(Amendment).*

5 (2) An executor or administrator who distributes the assets or any part of the assets of the estate of a testator or an intestate in accordance with subsection (1) is not liable in respect of those assets or that part of those assets to any person of whose application under this Act he did not have notice at the time of the distribution.

10 (3) This section does not prevent the court from making an order directing that provision under this Act be made out of assets that have been distributed in accordance with subsection (1).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977

[8c]

THE STATE OF NEW YORK
(State Senate)

AN ACT TO AMEND THE STATE SENATE
IN SENATE, JANUARY 11, 1977.

SECTION 1. The State Senate shall be composed of twenty-seven members, to be elected by the voters of the State at the general election in the year 1977 and in every fourth year thereafter.

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BY AUTHORITY OF THE GOVERNMENT OF THE STATE OF NEW YORK
[Seal]

**TESTATOR'S FAMILY MAINTENANCE AND
GUARDIANSHIP OF INFANTS (AMENDMENT)
BILL, 1977**

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Testator's Family Maintenance and Guardianship of Infants (Amendment) Act, 1977.

2. (1) Except as provided in subsection (2), this Act commences on the date of assent to this Act.

(2) Section 3 shall commence on the day that section 3 of the Wills, Probate and Administration (Amendment) Act 1977 commences.

3. The Testator's Family Guardianship Amendment Act 1976 is amended by omitting section 11 and inserting in lieu thereof the following section:—

A BILL FOR

An Act to amend the Testator's Family Maintenance and Guardianship of Infants Act, 1916, with respect to claims against the estate of a testator or an intestate.

[MR F. J. WALKER—21 September, 1977.]

BE

*Testator's Family Maintenance and Guardianship of Infants
(Amendment).*

5 (2) An executor or administrator who distributes the assets or any part of the assets of the estate of a testator or an intestate in accordance with subsection (1) is not liable in respect of those assets or that part of those assets to any person of whose application under this Act he did not have notice at the time of the distribution.

10 (3) This section does not prevent the court from making an order directing that provision under this Act be made out of assets that have been distributed in accordance with subsection (1).

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1977
[8c]

Testator's Family Maintenance and Guardianship of Estates
(Amendment).

(2) An executor or administrator who distributes the assets of any part of the estate of a testator or an intestate in accordance with subsection (1) is not liable in respect of those assets or that part of those assets to any person of whose application under this Act he did not have notice at the time of the distribution.

(3) This section does not prevent the court from making an order directing that provision under this Act be made out of assets that have been distributed in accordance with subsection (1).

PROOF

**TESTATOR'S FAMILY MAINTENANCE AND
GUARDIANSHIP OF INFANTS (AMENDMENT) BILL, 1977**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

THE object of this Bill is to revise section 11 of the Testator's Family Maintenance and Guardianship of Infants Act, 1916 (which relates to the distribution of the assets of the estate of a testator or an intestate by an executor or administrator and, *inter alia*, protects the executor or administrator from liability in respect of applications under that Act of which he did not have notice at the time of distribution) so as to make that section consistent with section 92 of the Wills, Probate and Administration Act, 1898 (as proposed to be amended by the Wills, Probate and Administration (Amendment) Bill, 1977).

FROM

THE DIRECTOR, NATIONAL BUREAU OF STANDARDS

WASHINGTON, D. C.

DEPARTMENT OF COMMERCE

TO THE DIRECTOR, NATIONAL BUREAU OF STANDARDS
WASHINGTON, D. C.

PROOF

**TESTATOR'S FAMILY MAINTENANCE AND
GUARDIANSHIP OF INFANTS (AMENDMENT)
BILL, 1977**

No. , 1977.

A BILL FOR

**An Act to amend the Testator's Family Maintenance and
Guardianship of Infants Act, 1916, with respect to
claims against the estate of a testator or an intestate.**

[MR F. J. WALKER—21 September, 1977.]

BE

*Testator's Family Maintenance and Guardianship of Infants
(Amendment).*

5 (2) An executor or administrator who distributes the assets or any part of the assets of the estate of a testator or an intestate in accordance with subsection (1) is not liable in respect of those assets or that part of those assets to any person of whose application under this Act he did not have notice at the time of the distribution.

10 (3) This section does not prevent the court from making an order directing that provision under this Act be made out of assets that have been distributed in accordance with subsection (1).

Act No. 107

(Amendment)

(1) The court in appointing a guardian of the property of any person shall have the right to require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct. (2) The court may also require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct. (3) The court may also require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct.

(4) The court may also require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct. (5) The court may also require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct. (6) The court may also require the guardian to file an account of his administration of the estate of such person at such intervals as the court may direct.