

INTESTATE ABORIGINALS (DISTRIBUTION OF ESTATES) ORDINANCE 1967

No. 11 of 1967

An Ordinance to amend the *Intestate Aboriginals (Distribution of Estates) Ordinance 1961-1964*

[Reserved 13 March, 1967]
[Assented to 13 April, 1967]*

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1965*, as follows:—

1.—(1.) This Ordinance may be cited as the *Intestate Aboriginals (Distribution of Estates) Ordinance 1967*. Short title and citation

(2.) The *Intestate Aboriginals (Distribution of Estates) Ordinance 1961-1964* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Intestate Aboriginals (Distribution of Estates) Ordinance 1961-1967*.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.† Commencement

3. Section 3 of the Principal Ordinance is amended by inserting after the definition of “the Director” the following definition:— Definitions

“the Master” means the Master of the Supreme Court of the Northern Territory of Australia and includes a Deputy Master of that Court.”

4. Section 7 of the Principal Ordinance is repealed and the following section inserted in its stead:—

“7.—(1.) Subject to this Ordinance, if the value of the property does not exceed Two hundred dollars, the Public Trustee shall submit the plan of distribution to the Master. Procedure where property not disposed of by will does not exceed \$200

“(2.) The Master may—

(a) approve the plan;

(b) amend the plan and approve it as so amended;

* Notified in *Northern Territory Government Gazette* dated 19 April, 1967.

† The date fixed was 10 May, 1967 (see *Northern Territory Government Gazette* No. 27 of 10 May, 1967, page 131).

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- (c) return the plan to the Public Trustee for further consideration and resubmission to the Master; or
 (d) refer the plan to a Judge.”.

Procedure where property not disposed of by will exceeds \$200

Cases where Public Trustee may elect to ignore goods and chattels in calculating value of property

Cases where Public Trustee may elect to take no part in distribution of property

Public Trustee to distribute property according to approved plan of distribution

Principles governing plan of distribution

Public Trustee may obtain information on oath

5. Section 8 of the Principal Ordinance is amended by omitting the words “exceeds Fifty pounds” and inserting in their stead the words “exceeds Two hundred dollars”.

6. Section 10 of the Principal Ordinance is amended by omitting from paragraph (b) the words “Fifty pounds” and inserting in their stead the words “One hundred dollars”.

7. Section 11 of the Principal Ordinance is repealed and the following section inserted in its stead:—

“11. If the Public Trustee is satisfied that the property referred to in section six of this Ordinance—

- (a) consists wholly of personal property of which the total value does not exceed Forty dollars and which is in the possession of persons included in the classes of persons mentioned in paragraph (a) of the last preceding section; or

(b) is of a total value not exceeding Two dollars,

he may elect to take no part in the distribution of the property.”.

8. Section 13 of the Principal Ordinance is amended by omitting the words “Administrator in Council” and inserting in their stead the word “Master”.

9. Section 14 of the Principal Ordinance is amended by omitting from sub-section (2.) the words “Administrator in Council” (twice occurring) and inserting in their stead the word “Master”.

10. Section 20 of the Principal Ordinance is amended by omitting from sub-section (3.) the words “Fifty pounds” and inserting in their stead the words “One hundred dollars”.