

Joint Family Homes Amendment Act 1974

Public Act 1974 No 148
Date of assent 8 November 1974

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An Act to amend the Joint Family Homes Act 1964

1 Short Title and commencement

- (1) This Act may be cited as the Joint Family Homes Amendment Act 1974, and shall be read together with and deemed part of the Joint Family Homes Act 1964 (hereinafter referred to as the principal Act).
- (2) Except as provided in section 12(4) of this Act, this Act shall come into force on its passing.

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5 Effect of registration

- (1) *This subsection inserted a new second proviso after the first proviso to section 9(2)(d) of the principal Act.*
- (2) The second proviso to section 9(2)(d) of the principal Act (as inserted by subsection (1) of this section) shall apply with respect to any interest that a husband and wife or either of them may have in a joint family home, whether the home is settled before or after the commencement of this Act.

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11 Exemptions from gift duty

- (1) *This subsection substituted section 21 of the principal Act.*
- (2) Subsection (2) of section 21 of the principal Act (as inserted by subsection (1) of this section) shall apply with respect to any settlement under the principal Act where the settlement of any immediately preceding settlement is cancelled on or after the commencement of this Act.

12 Exemption from estate duty

- (1) *This subsection amended section 22(1) of the principal Act.*
- (2) *This subsection amended section 22(2) of the principal Act.*
- (3) *This subsection added section 22(3) of the principal Act.*
- (4) Subsections (1) and (3) of this section shall be deemed to have come into force on the 30th day of May 1974, and shall apply to the estate of any joint tenant of a joint family home who, dying in the lifetime of the other joint tenant, has died or dies on or after that date.

13 Consequential repeals and amendment

- (1) The following enactments are hereby consequentially repealed—
 - (a) Section 4 of the Joint Family Homes Amendment Act 1968:
 - (b) So much of Schedule 4 to the Estate and Gift Duties Act 1968 as relates to the Joint Family Homes Act 1964:
 - (c) Section 3 of the Joint Family Homes Amendment Act 1972.
- (2) *This amendment has been incorporated in the reprinted Unit Titles Act 1972 (1989, RS Vol 24, p 839).*