

[AS REPORTED FROM THE STATUTES REVISION COMMITTEE]
House of Representatives, 22 June 1966

Words inserted by the Statutes Revision Committee are shown with double rule before first line and after last line.

Hon. Mr Hanan

FAMILY PROTECTION AMENDMENT

ANALYSIS

Title	2. Gifts made in anticipation of death
1. Short Title	3. Claims of grandchildren
	4. Variation of orders

A BILL INTITULED

An Act to amend the Family Protection Act 1955

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same,
5 as follows:

1. **Short Title**—This Act may be cited as the Family Protection Amendment Act 1966, and shall be read together with and deemed part of the Family Protection Act 1955* (hereinafter referred to as the principal Act).
- 10 2. **Gifts made in anticipation of death**—Section 2 of the principal Act is hereby amended by inserting in paragraph (b) of subsection (5), after the words “this Act”, the words “and of sections 30A and 30B of the Administration Act 1952 (which sections were inserted by section 2 of the Administration Amendment Act 1960)”.
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*1957 Reprint, Vol. 4, p. 839
Amendment: 1959, No. 24

3. Claims of grandchildren—Section 3 of the principal Act is hereby amended by repealing paragraph (c), and substituting the following paragraph:

“(c) The grandchildren of the deceased, being children (whether legitimate or illegitimate) of any child (whether legitimate or illegitimate) of the deceased: 5

“Provided that no claim under this Act may be made by any such grandchild of the deceased, unless— 10

“(i) Before the death of the deceased the parent through whom he is related to the deceased has died; or

“(ii) At the time of the death of the deceased no parent of that grandchild was making adequate provision for that grandchild’s maintenance; or 15

“(iii) At the time of the death of the deceased the grandchild and the persons (if any) who have custody of the grandchild did not know the whereabouts of that parent; or 20

“(iv) At the time of the death of the deceased that parent was an undischarged bankrupt; or 25

“(v) At the time of the death of the deceased that parent was a mentally defective person within the meaning of the Mental Health Act 1911:”.

New 30

(2) This section shall apply in all cases where the deceased person died after the commencement of this Act. In all other cases the principal Act shall apply as if this section had not been passed.

4. Variation of orders—Section 12 of the principal Act is hereby amended by omitting from subsection (2) the words “section 10 of this Act”, and substituting the words “sections 30A and 30B of the Administration Act 1952 (which sections were inserted by section 2 of the Administration Amendment Act 1960)”. 35 40