

Serial Number **1953/92**



**THE EXECUTORS' COMMISSION RULES 1935,
AMENDMENT NO. 1**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 3rd day of August
1953

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to section 37 of the Administration Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, and with the concurrence of the Right Honourable the Chief Justice and six of the other members of the Rules Committee constituted under the Judicature Amendment Act 1930 (three of those other members being Judges of the Supreme Court), hereby makes the following rules.

RULES

1. (1) These rules may be cited as the Executors' Commission Rules 1935, Amendment No. 1, and shall be read together with and deemed part of the Executors' Commission Rules 1935* (hereinafter referred to as the principal rules).

(2) These rules shall come into force on the fourteenth day after the date of their notification in the *Gazette*.

2. Rule 25 of the principal rules is hereby amended as follows:

(a) By omitting the word "fourpence", and substituting the word "eightpence":

(b) By omitting the word "twopence", and substituting the word "fourpence".

3. Rule 2 of the principal rules is hereby amended by omitting the words "section twenty of the Administration Act 1908", and substituting the words "section thirty-one of the Administration Act 1952".

**T. J. SHERRARD,
Clerk of the Executive Council.**

* *Gazette*, 19 December 1953, Vol. III, p. 3988.

EXPLANATORY NOTE

[*This note is not part of the rules, but is intended to indicate their general effect.*]

Under rule 25 of the Executors' Commission Rules 1935, where on a petition the Court allows to executors or administrators a commission out of the assets of the estate of a deceased person, the petitioners are also entitled to costs at the rates of 4d. a folio for all original documents required on the petition, and 2d. a folio for copies. These rules increase those rates to 8d. and 4d.

The amendment made by rule 3 of these rules is consequential on the passing of the Administration Act 1952.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 August 1953.

These regulations are administered in the Department of Justice.