1985 No. 9

ADMINISTRATION OF ESTATES

Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 1985

Made	*15th January 1985*
Coming into operation . . .	*1st March 1985*

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of Finance and Personnel(**a**), in exercise of the powers conferred on it by section 6(1) of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967(**b**), as extended and amended by sections 58(1) and 105(2) of and Schedule 8 to, the Friendly Societies Act (Northern Ireland) 1970(**c**), and Article 6(2) of the Superannuation (Northern Ireland) Order 1972(**d**), and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 1985 and shall come into operation on 1st March 1985.

Increase of limit

2. The following provisions (which relate to property which may be disposed of on death without representation or in pursuance of a nomination, subject to a limit of £1,500)(**e**), namely—

(*a*) section 13 of the Ministerial Salaries and Members' Pensions Act (Northern Ireland) 1965(**f**);

(*b*) sections 1 and 2 of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967, so far as they relate to, respectively,—

(i) the Provident Nominations and Small Intestacies Act 1883(**g**) section 7, the London Midland and Scottish Railway Act 1924(**h**) section 61(11), the Building Societies Act (Northern Ireland) 1967(**i**) section 46(**j**) and the Industrial and Provident Societies Act (Northern Ireland) 1969(**k**) section 24(**l**); and

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(a) Formerly the Department of Finance: *see* S.I. 1982/338 (N.I. 6) Article 3
(b) 1967 c. 5 (N.I.)
(c) 1970 c. 31 (N.I.)
(d) S.I. 1972/1073 (N.I. 10)
(e) The Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 1976 (S.R. 1976 No. 6) provided for the provisions specified in Article 2(a)—(d) of this Order to have effect as if references to £1,500 were substituted for references to £500.
(f) 1965 c. 18 (N.I.)
(g) 1883 c. 47
(h) 1924 c. liv
(i) 1967 c. 31 (N.I.)
(j). Substituted for 1874 c. 42 s. 29—*see* 1954 c. 33 (N.I.) s. 29(3)(*b*)
(k) 1969 c. 24 (N.I.)
(l) Substituted for 1893 c. 39 s. 27—*see* 1954 c. 33 (N.I.) s. 29(3)(*b*)

  (ii) the Trade Union Act Amendment Act 1876(**a**) section 10 and the Industrial and Provident Societies Act (Northern Ireland) 1969 section 22(3)(*d*)(**b**);

(*c*) sections 56, 57 and 58 of the Friendly Societies Act (Northern Ireland) 1970;

(*d*) Article 6 of the Superannuation (Northern Ireland) Order 1972;

shall have effect as if for the references to £1,500 there were substituted references to £5,000.

Revocation

3. The Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 1976 is hereby revoked.

Sealed with the Official Seal of the Department of Finance and Personnel on 15th January 1985.

(L.S.)   *R. G. Smartt*

                  Assistant Secretary

(**a**) 1876 c. 22
(**b**) Substituted for 1893 c. 39 s. 25(1)—*see* 1954 c. 33 (N.I.) s. 29(3)(*b*)

EXPLANATORY NOTE

(This note is not part of the Order.)

  The Administration of Estates (Small Payments) Act (Northern Ireland) 1967 specifies a limit of £500 on the amount of property which is allowed, under certain statutory provisions, to be disposed of on death without the necessity for probate or other proof of title, or in pursuance of a nomination made by the deceased. That limit was increased to £1,500 by the Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 1976. The present Order, which revokes the 1976 Order, further increases the limit to £5,000.

  By virtue of section 6(2) of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967, this Order applies in relation to deaths occurring, or nominations effected, after the expiration of a period of one month beginning with the date on which the Order comes into operation.