

Order laid before the Assembly under section 6(1) of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967, and subject to affirmative resolution procedure of the Assembly

STATUTORY RULES OF NORTHERN IRELAND

2020 No. 280

ADMINISTRATION OF ESTATES

The Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 2020

Made - - - - *24th November 2020*

Coming into operation - *8th December 2020*

The Department of Finance(a) makes the following Order 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 Article 6(2) of the Superannuation (Northern Ireland) Order 1972(c), Article 22(3) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985(d), Articles 17(3) and 19 of the Credit Unions (Northern Ireland) Order 1985(e) and Article 104(5) of the Industrial Relations (Northern Ireland) Order 1992(f) and of all other powers enabling it in that behalf.

Citation and commencement

1. This Order may be cited as the Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 2020 and comes into operation on 8th December 2020.

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 £10,000), namely –

- (a) sections 1 and 2 of the Administration of Estates (Small Payments) Act (Northern Ireland) 1967, so far as they relate to, respectively, –
 - (i) the London Midland and Scottish Railway Act 1924(g) section 61(11), and the Industrial and Provident Societies Act (Northern Ireland) 1969(h) section 24(i); and

(a) See section 1(4) of the Departments Act (Northern Ireland) 2016 (c.5(N.I.))
(b) 1967 c. 5 (N.I.)
(c) S.I. 1972/1073 (N.I. 10)
(d) S.I. 1985/1208 (N.I. 15)
(e) S.I. 1985/1205 (N.I. 12)
(f) S.I. 1992/807 (N.I. 5)
(g) 1924 c. liv
(h) 1969 c. 24 (N.I.)
(i) Substituted for 1893 c. 39 s. 27 – see 1954 c. 33 (N.I.) s. 29(3)(b)

- (ii) the Industrial and Provident Societies Act (Northern Ireland) 1969 section 22(3)(d)(a);
- (b) Article 6 of the Superannuation (Northern Ireland) Order 1972;
- (c) Article 22(3) of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985;
- (d) Articles 17(3) and 19 of the Credit Unions (Northern Ireland) Order 1985;
- (e) Article 104(5) of the Industrial Relations (Northern Ireland) Order 1992,

have effect as if for the references to £10,000 there were substituted references to £20,000.

Revocation

3. The Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 2004(b) is hereby revoked.

Sealed with the Official Seal of the Department of Finance on 24th November 2020



Jonathan McAdams
A senior officer of the
Department of Finance

EXPLANATORY NOTE

(This note is not part of the Order.)

The Administration of Estates (Small Payments) Act (Northern Ireland) 1967 specifies a limit 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 £10,000 by the Administration of Estates (Small Payments) (Increase of Limit) Order (Northern Ireland) 2004. The present Order, which revokes that Order, further increases the limit to £20,000. In doing so the Order also takes account of the repeal of certain statutory provisions in respect of which the limit was formerly specified.

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 affected, after the expiration of a period of one month beginning with the date on which the Order comes into operation.

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- (a) Substituted for 1893 c. 39 s. 25(1) – see 1954 c. 33 (N.I.) s. 29(3)(b)
 - (b) S.R. 2004 No. 68

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