



Legitimacy Act 1976

1976 CHAPTER 31

6 Dispositions depending on date of birth.

- (1) Where a disposition depends on the date of birth of a child who was born illegitimate and who is legitimated (or, if deceased, is treated as legitimated), section 5(4) above does not affect entitlement under Part II of the ^{M1}Family Law Reform Act 1969 (illegitimate children).
- (2) Where a disposition depends on the date of birth of an adopted child who is legitimated (or, if deceased, is treated as legitimated) section 5(4) above does not affect entitlement by virtue of [^{F1}section 42(2) of the Adoption Act 1976][^{F2}or section 69(2) of the Adoption and Children Act 2002].
- (3) This section applies for example where—
 - (a) a testator dies in 1976 bequeathing a legacy to his eldest grandchild living at a specified time,
 - (b) his daughter has an illegitimate child in 1977 who is the first grandchild,
 - (c) his married son has a child in 1978,
 - (d) subsequently the illegitimate child is legitimated,and in all those cases the daughter's child remains the eldest grandchild of the testator throughout.

Textual Amendments

- F1** Words substituted by [Adoption Act 1976 \(c. 36, SIF 49:11\)](#), ss. 73(2), 74(2)(4), [Sch. 3 para. 24](#)
- F2** Words in s. 6(2) inserted (30.12.2005) by [Adoption and Children Act 2002 \(c. 38\)](#), s. 148(1), [Sch. 3 para. 18](#) (with [Sch. 4 paras. 6-8](#)); [S.I. 2005/2213](#), art. 2(o)

Marginal Citations

- M1** [1969 c. 46](#).

Changes to legislation:

There are currently no known outstanding effects for the Legitimacy Act 1976, Section 6.