



# Adoption Act 1976

## 1976 CHAPTER 36

### PART IV

#### STATUS OF ADOPTED CHILDREN

#### 46 Meaning of “disposition”.

- (1) In this Part, unless the context otherwise requires,—
- “disposition” includes the conferring of a power of appointment and any other disposition of an interest in or right over property;
  - “power of appointment” includes any discretionary power to transfer a beneficial interest in property without the furnishing of valuable consideration.
- (2) This Part applies to an oral disposition as if contained in an instrument made when the disposition was made.
- (3) For the purposes of this Part, the death of the testator is the date at which a will or codicil is to be regarded as made.
- (4) For the purposes of this Part, provisions of the law of intestate succession applicable to the estate of a deceased person shall be treated as if contained in an instrument executed by him (while of full capacity) immediately before his death.

<sup>F1</sup>(5) .....

#### Textual Amendments

**F1** S. 46(5) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art. 2**

**Changes to legislation:**

Adoption Act 1976, Section 46 is up to date with all changes known to be in force on or before 02 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket Amendment words substituted by [2005 c. 4 Sch. 11 para. 1\(2\)](#) (Amendment not applied to legislation.gov.uk. The relevant references were repealed before the amendment came into force.)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 3(6A)(6B) inserted by [1999 c. 18 s. 10](#) (This amendment not applied to legislation.gov.uk. S. 10 repealed (30.4.2003 for W., 1.6.2003 for E.) without ever being in force by 2000 c. 14, ss. 117(2), 122, Sch. 6; S.I. 2003/501, art. 2(3)(b); S.I. 2003/365, art. 3(6)(a))
- s. 13(4) inserted by [1999 c. 18 s. 11](#) (This amendment not applied to legislation.gov.uk. S. 11 ceases to have effect (E.W.) (30.12.2005) by virtue of 2002 c. 38, ss. 139, 148(1), Sch. 3 para. 95 (with Sch. 4 paras. 6-8); S.I. 2005/2213, art. 2(o))
- s. 52(1)(c) power to extend conferred by [2002 c. 38 Sch. 4 para. 16\(1\)\(a\)](#)
- s. 52(1A) inserted by [2002 c. 38 Sch. 4 para. 15\(a\)](#)
- s. 56(4)-(6) inserted by [2002 c. 38 Sch. 4 para. 11\(b\)](#)