

PAPUA.



No. 14 of 1940.

AN ORDINANCE

*To Amend the "Probate and Administration Ordinance,
1913-1936."*

H. W. CHAMPION.

[L.S.]

2nd October, 1940.

BE it ordained by the Legislative Council for the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1940*, as follows:—

1. (1) This Ordinance may be cited as the *Probate and Administration Ordinance, 1940*. Short title and citation.

(2) The *Probate and Administration Ordinance, 1913-1936*, is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance as amended by this Ordinance may be cited as the *Probate and Administration Ordinance, 1913-1940*.

2. The Principal Ordinance is amended by inserting therein immediately after Section Eighty-three the following new section :—

Small estates.
Cf. *Public
Curators Act of
1915, 6 Geo. V.
No. 14, Queens-
land.*

“83A. (1) Any person who in the opinion of the Public Curator would be entitled to apply to the Court for the administration by the Court of an estate the gross capital value whereof is proved to the satisfaction of the Public Curator to be less than One hundred pounds may apply to the Public Curator to administer the estate and where any such application is made and it appears to the Public Curator that the persons beneficially entitled are persons of small means the Public Curator may administer the estate.

(2) On the Public Curator undertaking by declaration in writing to administer any such estate the property of such estate shall by virtue of this Ordinance vest in him as if an Order to administer had been obtained.

(3) Where proceedings have been instituted in any Court for the administration of an estate and by reason of the small value of the estate in the Territory it appears to the Court that the estate can be more economically administered by the Public Curator the Court may order that any such estate shall be administered by the Public Curator as an estate under this section.”

3. The Principal Ordinance is further amended as set out in the Schedule hereto.

Passed in Council this second day of October, in the year of Our Lord One thousand nine hundred and forty.

Probate and Administration Ordinance, 1940.

SCHEDULE.

Section of Principal Ordinance.	Nature of Amendment.
4	Definition "the Court" omit "Central"—substitute "Supreme". Definition "Judge" omit "Central"—substitute "Supreme". Definition "Registrar" omit "Central"—substitute "Supreme".
5	Omit "Central"—substitute "Supreme" wherever occurring.
10	Omit "Central"—substitute "Supreme".
11	Omit "The Chief Judicial Officer"—substitute "A Judge of the Supreme Court".
12	Omit "Lieutenant-Governor"—substitute "Administrator".
12D (1)	Omit "Lieutenant-Governor"—substitute "Administrator".
13	Omit "The Chief Judicial Officer"—substitute "A Judge of the Supreme Court". Omit "or if there shall be no Chief Judicial Officer then the senior judge for the time being".
52A	Omit "Central"—substitute "Supreme".
52B (4)	Omit "Central"—substitute "Supreme".
56	Omit "Central"—substitute "Supreme".
61 (1)	Omit "Central"—substitute "Supreme".
68	Omit "Central"—substitute "Supreme" wherever occurring.
69	Omit "Central"—substitute "Supreme".
71 (1)	Omit "Lieutenant-Governor"—substitute "Administrator" wherever occurring.
95 (c)	Omit "Lieutenant-Governor"—substitute "Administrator".
96	Omit "Central"—substitute "Supreme".
100	Omit "Lieutenant-Governor"—substitute "Administrator" wherever occurring.
106	Omit "Central"—substitute "Supreme".
108	Omit "Central"—substitute "Supreme".
110 (1)	Omit "Central"—substitute "Supreme".
111	Omit "Central"—substitute "Supreme".
114	Omit "The Deputy Chief Judicial Officer"—substitute "A Judge of the Supreme Court".

