



ANNO VICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1975

No. 91 of 1975

An Act to amend the Inheritance (Family Provision) Act, 1972.

[Assented to 20th November, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Inheritance (Family Provision) Act Amendment Act, 1975". Short titles.

(2) The Inheritance (Family Provision) Act, 1972, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Inheritance (Family Provision) Act, 1972-1975".

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section 4 of the principal Act is amended by striking out the definitions of "legally adopted child" and "legitimated child" and inserting in lieu thereof the following definitions:— Amendment of principal Act, s. 4— Interpretation.

"child" in relation to a deceased person includes a person who is recognized as a child of that person by virtue of the Family Relationships Act, 1975, and "parent" has a correlative meaning:

"spouse" in relation to a deceased person includes a person adjudged under the Family Relationships Act, 1975, to have been a putative spouse of the deceased either on the date of his death, or at some earlier date.

4. Section 6 of the principal Act is amended—

(a) by striking out paragraphs (d), (e) and (f);

(b) by striking out from paragraph (g) the passage "by any former marriage of the spouse";

Amendment of principal Act, s. 6— Persons entitled to claim under this Act.

(c) by striking out paragraph (h) and inserting in lieu thereof the following paragraph:—

(h) a child of a child of the deceased person;;

and

(d) by striking out paragraphs (i) and (j) and inserting in lieu thereof the following paragraph:—

(i) a parent of the deceased person who satisfies the court that he cared for, or contributed to the maintenance of, the deceased person during his lifetime.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

M. L. OLIPHANT, Governor