



ANNO QUINTO

**ELIZABETHAE II REGINAE**

A.D. 1956.

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**No. 19 of 1956.**

An Act to amend the Administration and Probate Act,  
1919-1937.

[Assented to 8th November, 1956.]

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

Short titles.

1. (1) This Act may be cited as the "Administration and Probate Act Amendment Act, 1956".

(2) The Administration and Probate Act, 1919-1937, as amended by this Act, may be cited as the "Administration and Probate Act, 1919-1956".

(3) The Administration and Probate Act, 1919-1937, is hereinafter referred to as "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Commencement of Act.

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

Amendment of  
s. 54 of  
principal Act—  
Share of  
widow or  
widower.

4. Section 54 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 54 being read as subsection (1) thereof) :—

(2) Where a person to whose estate subsection (1) of this section applies dies after the commencement of the Administration and Probate Act Amendment Act, 1956, subsection

(1) of this section shall apply in relation to his estate as though the amount of five thousand pounds were substituted for the amount of five hundred pounds wherever the latter amount is referred to in the said subsection.

5. Section 71 of the principal Act is repealed and the following section enacted and inserted in its place :—

Repeal and re-enactment of s. 71 of principal Act—

71. (1) Where a Government employee dies and immediately before his death a sum not exceeding one hundred pounds was owing to him by the Government or by a person or authority representing the Government the Treasurer may in his discretion direct that such sum shall be paid to the surviving spouse of the deceased or to any other person to whom the Treasurer deems it just to pay it, or that such sum shall be divided among any of such persons.

Payment without production of probate or letters of administration.

(2) The Treasurer may refuse to give a direction under this section unless such indemnities or undertakings as he thinks necessary are given.

(3) A person shall not have a claim against the Crown, the Treasurer, or any other person representing the Crown in respect of any payment made pursuant to this section; but nothing in this section shall relieve a person receiving money paid under this section from any liability to account for or apply such money in accordance with law.

(4) In this section "Government employee" means a person who is employed in the service of the Crown and whose remuneration is paid out of money under the control of the Treasurer.

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

J. M. NAPIER, Governor's Deputy.