



ANNO SECUNDO

GEORGII V REGIS.

A.D. 1911.

No. 1045.

An Act to amend the Law of Property.

[Assented to, October 26th, 1911.]

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

1. This Act may be cited as "The Law of Property Amendment Act, 1911." Short title.

2. (1) No gift, whether by testamentary disposition or by instrument *inter vivos*, made after the passing of this Act, shall be held to be void solely on the ground that the testator or donor has attached an illegal stipulation to such gift, whether such stipulation is in the nature of a limitation of the gift or of a condition precedent or subsequent to the gift, unless it is proved to the satisfaction of the Court before which the matter is in question that the donee of such gift consented to such stipulation at or before the time when the testamentary disposition or instrument *inter vivos* was executed by the testator or donor. Gift not to be avoided by illegal stipulation attached thereto.

(2) Unless it is proved as aforesaid, in construing the testamentary disposition or instrument *inter vivos*, the gift shall be read as if the illegal stipulation had not been attached thereto.

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

DAY H. BOSANQUET, Governor.