
STATUTORY INSTRUMENTS

1996 No. 3163 (N.I. 26)

The Succession (Northern Ireland) Order 1996

- - - - - 19th December 1996

Title and commencement

1. This Order may be cited as the Succession (Northern Ireland) Order 1996 and shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Distribution of estates on intestacy

3.—(1) In the Administration of Estates Act (Northern Ireland) 1955 (“the 1955 Act”), after section 6 there shall be inserted the following section—

“Spouse dying within 28 days of intestate.

6A. Where—

- (a) the intestate dies leaving a spouse, but
- (b) the spouse dies before the end of the period of 28 days beginning on (and including) the day on which the intestate died,

this Part shall have effect as respects the intestate as if the spouse had not survived the intestate.”.

(2) Section 17 of the 1955 Act (advancements to children of intestate to be brought into account) is hereby repealed.

(3) Paragraphs (1) and (2) have effect as respects an intestate dying after the coming into operation of this Order.

(4) In section 19(1) of the 1955 Act (construction of documents) the references to Part II of that Act and to the foregoing provisions of that Part shall, in relation to an instrument inter vivos made or a will coming into operation after the coming into operation of this Order (but not in relation to instruments inter vivos made and wills coming into operation earlier), be construed as including references to this Article.