

Probate and Administration Regulation 2003

[2003-543]



New South Wales

Status Information

Currency of version

Repealed version for 1 March 2008 to 30 June 2008 (accessed 16 August 2024 at 23:16)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Previously named**
Wills, Probate and Administration Regulation 2003
- **Repeal**
The Regulation was repealed by Sch 4 to the [Statute Law \(Miscellaneous Provisions\) Act 2008 No 62](#) with effect from 1.7.2008.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 July 2008

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Contents

1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Notes	3
5 Prescribed amount—value of intestate estate for purpose of distribution	3
6 Prescribed rate—interest on legacies and annuities	3
7 Saving.....	4

Probate and Administration Regulation 2003



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1 Name of Regulation

This Regulation is the *Probate and Administration Regulation 2003*.

2 Commencement

This Regulation commences on 1 September 2003.

Note—

This Regulation replaces the *Wills, Probate and Administration Regulation 1998* which is repealed on 1 September 2003 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

In this Regulation:

the Act means the *Probate and Administration Act 1898*.

4 Notes

Notes in this Regulation do not form part of this Regulation.

5 Prescribed amount—value of intestate estate for purpose of distribution

- (1) The object of this clause is to set the amount that the value of a deceased person's estate must not exceed for the deceased person's spouse to be entitled to the whole of that estate (to the exclusion of any children of the deceased person) in the event that the deceased person has died without having made a will.
- (2) For the purpose of paragraph (b) of the definition of **prescribed amount** in section 61A (2) of the Act, the amount of \$200,000 is prescribed.

6 Prescribed rate—interest on legacies and annuities

- (1) The object of this clause is to set the rate at which interest is payable on a legacy or on the arrears of any annuity granted under a will.
- (2) For the purpose of section 84A (1) of the Act, the prescribed rate is 6 per cent per year.

7 Saving

Any act, matter or thing that, immediately before the repeal of the *Wills, Probate and Administration Regulation 1998*, had effect under that Regulation is taken to have effect under this Regulation.