NORTHERN TERRITORY OF AUSTRALIA

ADMINISTRATION AND PROBATE REGULATIONS 1983

As in force at 1 July 2022

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 July 2022

ADMINISTRATION AND PROBATE REGULATIONS 1983

Regulations under the *Administration and Probate Act 1969*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Administration and Probate Regulations 1983*.

1A Application

The estate of a deceased person is to be administered in accordance with these Regulations as in force at the date of the death of the person.

Part 2 General matters

2 Fees

The Fees payable in respect of any matter under the Act are as specified in Schedule 1.

2AA Relevant countries

For the purposes of the definition of ***relevant country*** in section 6 of the Act, the countries and parts of countries specified in Schedule 2 are prescribed.

2AB Small claim

For section 104(1)(a) of the Act, the prescribed amount in relation to a claim is 250 000 monetary units.

2A Prescribed amounts for small estates

(1) For section 106 of the Act, the prescribed amount is 20 000 monetary units.

(2) For section 108(1)(b) of the Act, the prescribed amount is 20 000 monetary units.

2B Notice of intention to administer estate (prescribed information) – section 110A(3)

For the purposes of section 110A(3) of the Act, a notice given under section 110A(2) of the Act is to contain the following information:

(a) the name and address of the professional personal representative who intends to administer the estate;

(b) the name, address and occupation of the deceased person;

(c) a statement to the effect that the deceased died leaving a will or died without leaving a will (as the case may be);

(d) a statement to the effect that the professional personal representative intends to administer the estate under section 110A of the Act;

(e) a statement to the effect that all persons having claims against the estate are requested to submit their claims in writing to the professional personal representative within 2 months after the date on which the notice is published, after which date the professional personal representative will distribute the estate having regard to the claims of which notice has been given.

3 Prescribed amounts and sums for distribution on intestacy

(1) For Schedule 6, Part I, item 2 to the Act:

(a) the prescribed amount under paragraph 1(a) and (b) is 370 000 monetary units; and

(b) the prescribed sum under paragraph 1(b) is 370 000 monetary units.

(2) For Schedule 6, Part I, item 3 to the Act:

(a) the prescribed amount under paragraph 1(a) and (b) is 530 000 monetary units; and

(b) the prescribed sum under paragraph 1(b) is 530 000 monetary units.

Part 3 Transitional matters for Administration and Probate Amendment Regulations 2017

4 Application of regulation 2C

(1) Regulation 2C, as amended by the amending Regulations, applies only in relation to the administration of an estate that commences after the commencement.

(2) Regulation 2C, as in force immediately before the commencement, continues to apply in relation to the administration of an estate that commenced before the commencement.

(3) In this regulation:

amending Regulations means the *Administration and Probate Amendment Regulations 2017*.

commencement means the commencement of the amending Regulations.

Part 4 Transitional matters for Justice and Other Legislation Amendment Act 2021

5 Application of regulation 2AB

Regulation 2AB applies only in relation to a claim made after the commencement of that regulation.

Schedule 1 Fees

section 152A(d)

regulation 2

		Revenue units
1.	For a certified office copy, reproduced by photographic process, of a will or other document.....……..	5
	and in addition, for each page……..	1
2.	For an office copy, reproduced by photographic process, of a will or other document, for each page.....	1

Schedule 2 Relevant countries or parts of countries

regulation 2AA

Antigua and Barbuda
Bahamas, The
Bangladesh
Barbados
Belize
Botswana
Brunei Darussalam
Canada
Cyprus
Dominica
Fiji
Gambia, The
Ghana
Grenada
Guyana
Hong Kong Special Administrative Region
India
Ireland
Jamaica
Kenya
Kiribati
Lesotho
Malawi
Malaysia
Maldives
Malta
Mauritius
Mozambique
Namibia
Nauru
New Zealand
Nigeria
Pakistan
Papua New Guinea
St Kitts and Nevis
St Lucia
St Vincent
Seychelles
Sierra Leone
Singapore
Solomon Islands
South Africa
Sri Lanka
Swaziland
Tanzania
Tonga
Trinidad and Tobago
Tuvalu
Uganda
United Kingdom (including The Channel Islands)
Vanuatu
Western Samoa
Zambia
Zimbabwe

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Administration and Probate Regulations* (SL No. 35, 1983)**
Notified 28 October 1983
Commenced 28 October 1983

***Amendments of Administration and Probate Regulations* (SL No. 48, 1998)**
Notified 11 November 1998
Commenced 1 December 1998 (r 1)

***Amendments of Administration and Probate Regulations* (SL No. 8, 1999)**
Notified 1 April 1999
Commenced 1 April 1999

***Amendment of Administration and Probate Regulations* (SL No. 29, 2002)**
Notified 30 August 2002
Commenced 30 August 2002

***Administration and Probate Amendment Regulations* 2016 (SL No. 29, 2016)**
Notified 1 July 2016
Commenced 1 July 2016

***Administration and Probate Amendment Regulations* 2017 (SL No. 10, 2017)**
Notified 24 May 2017
Commenced 24 May 2017

***Justice and Other Legislation Amendment Act 2021* (Act No. 7, 2021)**
Assent date 13 April 2021
Commenced 14 April 2021 (s 2)

***Justice Legislation Amendment Regulations 2021* (SL No. 18, 2021)**
Notified 3 November 2021
Commenced 3 November 2021

Justice and Licensing Legislation Amendment Act 2022 **(Act No. 6, 2022)**

Assent date	14 April 2022
Commenced	pt 6: 1 May 2022; rem: 1 July 2022 (Gaz S17, 27 April 2022)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1 and 2C.

4 LIST OF AMENDMENTS

pt 1 hdg	om No. 29, 2016, r 3
	ins No. 10, 2017, r 3
r 1A	ins No. 48, 1998, r 3
pt 2 hdg	ins No. 10, 2017, r 4
r 2	amd No. 8, 1999, r 3
r 2AA	ins No. 8, 1999, r 4
r 2AB	ins Act No. 7, 2021, s 9
	amd Act No. 6, 2022, s 18
r 2A	ins No. 48, 1998, r 4
	sub No. 29, 2016, r 4
	amd Act No. 6, 2022, s 18
r 2B	ins No. 29, 2002
r 2C	ins No. 29, 2002
	sub No. 10, 2017, r 5
	rep Act No. 7, 2021, s 10
r 3	amd No. 48, 1998, r 5
	sub No. 29, 2016, r 5
	amd Act No. 6, 2022, s 18
pt 3 hdg	ins No. 10, 2017, r 6
r 4	ins No. 10, 2017, r 6
pt 4 hdg	ins Act No. 7, 2021, s 11
r 5	ins Act No. 7, 2021, s 11
sch 1 hdg	amd No. 8, 1999, r 5
sch 1	amd No. 18, 2021, r 5
sch 2	ins No. 8, 1999, r 6