



NORTHERN TERRITORY OF AUSTRALIA

No. 9 of 1985

AN ACT

To amend the *Administration and Probate Act*

[Assented to 1 April 1985]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Administration and Probate Amendment Act 1985*.

2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3. PRINCIPAL ACT

The *Administration and Probate Act* is in this Act referred to as the Principal Act.

4. EXECUTOR OR ADMINISTRATOR TO PASS ACCOUNTS

Section 89(1) of the Principal Act is amended by omitting "Every" and substituting "Subject to section 89A, every".

5. NEW SECTION

The Principal Act is amended by inserting after section 89 the following:

"89A. PUBLIC TRUSTEE NOT REQUIRED TO FILE ACCOUNTS

"(1) The Public Trustee, when acting alone in relation to an estate, is not required to file or file and pass accounts relating to the estate unless the Court, on application by or on behalf of a person interested in the estate, so orders.

Administration and Probate Amendment

"(2) Where the Public Trustee is appointed and acts jointly with another person in relation to an estate, the Public Trustee and that other person are not required to file or file and pass in the Court accounts relating to the estate unless that other person desires to claim commission for his pains and trouble or unless the Court, on application by or on behalf of a person interested in the estate, so orders."

6. VALIDATION OF PREVIOUS PAYMENT

A payment of a commission or fee under section 74(1) of the *Public Trustee Act* made before the commencement of this Act is a valid payment notwithstanding the operation of section 102(2) of the *Principal Act*.
