



Legitimacy Act (Northern Ireland) 1928

1928 CHAPTER 5

5 Application to illegitimate person dying before marriage ^[F1], or civil partnership, of mother and father] .

Where an illegitimate person dies after the commencement of this Act and before the marriage ^[F2] or civil partnership] of his ^[F3] mother and father] leaving any spouse ^[F4], civil partner] , children or remoter issue living at the date of such marriage ^[F2] or civil partnership] , then, if that person would, if living at the time of the marriage ^[F2] or civil partnership] of his ^[F3] mother and father] , have become a legitimated person, the provisions of this Act with respect to the taking of interests in property by, or in succession to, the spouse ^[F5] or civil partner] , children and remoter issue of a legitimated person (including those relating to the rate of death duties) shall apply as if such person as aforesaid had been a legitimated person and the date of the marriage ^[F2] or civil partnership] of his ^[F3] mother and father] had been the date of legitimation.

- F1** Words in s. 5 heading substituted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **23(5)(e)** (with regs. 6-9)
- F2** Words in s. 5 inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **23(5)(a)** (with regs. 6-9)
- F3** Words in s. 5 substituted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **23(5)(b)** (with regs. 6-9)
- F4** Words in s. 5 inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **23(5)(c)** (with regs. 6-9)
- F5** Words in s. 5 inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **23(5)(d)** (with regs. 6-9)

Changes to legislation:

There are currently no known outstanding effects for the Legitimacy Act (Northern Ireland) 1928, Section 5.