



# Administration of Justice Act 1977

## 1977 CHAPTER 38

### PART II

#### ENGLAND AND WALES

#### *Estates of deceased persons*

#### **28 Distribution of estate of intestate leaving surviving spouse.**<sup>X1</sup>

<sup>F1</sup>(1) . . . . .

(2) Subsections (2) and (4) of section 47A of that Act (method of calculation of value of life interest of surviving spouse) shall cease to have effect.

(3) The following subsections shall be inserted after subsection (3) of that section:—

“(3A) The capital value shall be reckoned in such manner as the Lord Chancellor may by order direct, and an order under this subsection may include transitional provisions.

(3B) The power to make orders under subsection (3A) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament; and any such order may be varied or revoked by a subsequent order made under the power.”.

#### **Editorial Information**

**X1** The text of ss. 1(1), 4, 5, 11, 12, 17(2), 19(2)(5), 24, 26(1), 28, 29, 32(4) Schs. 3, 5 does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### **Textual Amendments**

**F1** [S. 28\(1\)](#) omitted (1.10.2014) by virtue of [Inheritance and Trustees' Powers Act 2014 \(c. 16\)](#), s. 12(2), [Sch. 4 para. 3](#) (with s. 12(4)); [S.I. 2014/2039](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Justice Act 1977, Section 28.