
 STATUTORY INSTRUMENTS

1984 No. 539

ADMINISTRATION OF ESTATES

**The Administration of Estates (Small Payments)
(Increase of Limit) Order 1984**

Approved by both Houses of Parliament

Made - - - 10th April 1984

Coming into Operation 11th April 1984

Whereas a draft of this Order has been laid before Parliament in accordance with section 6(4) of the Administration of Estates (Small Payments) Act 1965(a) and section 28(3) of the Trustee Savings Banks Act 1981(b) and has been approved by a resolution of each House of Parliament:

Now, therefore, the Treasury, in exercise of the powers conferred on them by section 6(1) of the Administration of Estates (Small Payments) Act 1965(c), and section 28(1) of the Trustee Savings Banks Act 1981, and of all other powers enabling them in that behalf, hereby make the following Order:—

1. This Order may be cited as the Administration of Estates (Small Payments) (Increase of Limit) Order 1984 and shall come into operation on 11th April 1984.

(a) 1965 c.32.

(b) 1981 c.65.

(c) Section 6(1) was amended and extended by paragraph 12 of Schedule 1 to the Forestry Act 1967 (c.10) (as amended by paragraph 62 of Schedule 6 to the Superannuation Act 1972 (c.11)), by paragraph 11 of Schedule 3 to the Merchant Shipping Act 1970 (c.36), by section 9(2) of the National Savings Bank Act 1971 (c.29), by section 4(2) of the Superannuation Act 1972, by section 24(4) of the Parliamentary and other Pensions Act 1972 (c.48), by section 6(3) of the National Debt Act 1972 (c.65), by section 119(3) of the Local Government Act 1972 (c.70), by paragraph 20(a) of Schedule 9 to the Friendly Societies Act 1974 (c.46), by paragraph 31(4) of Part IV of Schedule 1 to the Trade Union and Labour Relations Act 1974 (c.52) (as substituted by paragraph 32 of Part III of Schedule 16 to the Employment Protection Act 1975 (c.71), and by paragraph 20(4) of Part IV of Schedule 1 to the Judicial Pensions Act 1981 (c.20).

2. The following provisions (which relate to property which may be disposed of on death without representation or in pursuance of a nomination subject to a limit of £1,500(a)), namely —

- (a) sections 1 and 2 of the Administration of Estates (Small Payments) Act 1965, so far as they relate to any enactment;
- (b) section 14(2) of the Ministerial Salaries and Members' Pensions Act 1965(b);
- (c) paragraph 12 of Schedule 1 to the Forestry Act 1967;
- (d) section 66(2) of the Merchant Shipping Act 1970;
- (e) section 9(1) of the National Savings Bank Act 1971;
- (f) section 4(1) of the Superannuation Act 1972;
- (g) section 24(1) of the Parliamentary and other Pensions Act 1972;
- (h) section 6(1) of the National Debt Act 1972;
- (i) section 119(1) of the Local Government Act 1972;
- (j) sections 66, 67 and 68 of the Friendly Societies Act 1974;
- (k) paragraph 31(1)(b) of Part IV of Schedule 1 to the Trade Union and Labour Relations Act 1974(c);
- (l) section 27(4) of the Trustee Savings Banks Act 1981;

shall have effect as if for the references to £1,500 there were substituted references to £5,000.

3. Paragraph 20(1) of Part IV of Schedule 1 to the Judicial Pensions Act 1981 (which relates to property which may be disposed of on death without representation subject to a limit of £500), shall have effect as if for the reference to £500 there was substituted a reference to £5,000.

4. The Administration of Estates (Small Payments) (Increase of Limit) Order 1975 is hereby revoked.

*Alastair Goodlad,
D. J. F. Hunt,*

Two of the Lords Commissioners of
Her Majesty's Treasury.

10th April 1984.

(a) The Administration of Estates (Small Payments) (Increase of Limit) Order 1975 (S.I. 1975/1137) provided for the provisions specified in Article 2(a) to (j) of this Order to have effect as if references to £1,500 were substituted for references to £500.

(b) 1965 c.11.

(c) The reference in paragraph 31(1)(b) to £1,500 was substituted for a reference to £500 by paragraph 31 of Part III of Schedule 16 to the Employment Protection Act 1975.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Administration of Estates (Small Payments) Act 1965 specified a limit of £500 on the amount of property which is allowed, under certain statutory provisions, to be disposed of on death without the necessity for probate or other proof of title, or in pursuance of a nomination made by the deceased. That limit was increased to £1,500 by the Administration of Estates (Small Payments) (Increase of Limit) Order 1975. The present Order, which revokes the 1975 Order, further increases the limit to £5,000. The Order also increases to £5,000 the similar limit of £1,500 specified in section 27(4) of the Trustee Savings Banks Act 1981 and the limit of £500 specified in paragraph 20(1) of Schedule 1 to the Judicial Pensions Act 1981.

By virtue of section 6(2) of the Administration of Estates (Small Payments) Act 1965, and of section 28(2) of the Trustee Savings Banks Act 1981, this Order applies in relation to deaths occurring after the expiration of a period of one month beginning with the date on which the Order comes into operation.

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