

Bill No. 15 of 1952.

A BILL TO AMEND THE INTESTATE SUCCESSION
ACT.

NOTE.

This Bill amends *The Intestate Succession Act*, being chapter 211 of the Revised Statutes of Alberta, 1942.

Sections 7, 8 and 9 are struck out and new sections are substituted. These amendments are recommended by the Conference of Commissioners on Uniformity of Legislation for enactment by all the provinces. The present sections contain certain unnecessary words which may be misleading; and they are not clear on the question of whether nephews and nieces of an intestate take the estate in priority to grandparents, and along with uncles and aunts. The new sections follow the law of England and make it clear that the distribution on an intestacy gives the estate to nephews and nieces in priority to grandparents.

This Bill comes into force upon assent.

KENNETH A. MCKENZIE,
Legislative Counsel.

(This note does not form any part of the Bill but is offered in explanation of its provisions.)

BILL

No. 15 of 1952.

An Act to amend The Intestate Succession Act.

(Assented to _____, 1952.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Intestate Succession Act*, being chapter 211 of the Revised Statutes of Alberta, 1942, is hereby amended.

2. Sections 7, 8 and 9 are struck out and the following are substituted:

Sections 7,
8 and 9
amended

“7. If an intestate dies leaving no widow, issue, father or mother, his estate shall go to his brothers and sisters in equal shares, and if any brother or sister is dead, the children of the deceased brother or sister shall take the share their parent would have taken if living.

No widow,
issue or
parent

“8. If an intestate dies leaving no widow, issue, father, mother, brother or sister, his estate shall go to his nephews and nieces in equal shares and in no case shall representation be admitted.

Where estate
goes to
nephews and
nieces

“9. If an intestate dies leaving no widow, issue, father, mother, brother, sister, nephew or niece, his estate shall be distributed equally among the next of kin of equal degree of consanguinity to the intestate and in no case shall representation be admitted.”.

Distribution
among next
of kin

3. This Act shall come into force on the day upon which it is assented to.

Coming
into force

No. 15.

FIFTH SESSION
ELEVENTH LEGISLATURE
16 GEORGE VI
1952

BILL

An Act to amend The Intestate
Succession Act.

Received and read the

First time

Second time.....

Third time.....

HON. MR. MAYNARD.
