

THE INTESTATES' ESTATES AND PROPERTY CHARGES ACT

Cap. 166,
Acts
36 of 1976,
Sch.
1 of 1979,
1st Sch.
3 of 1988.

[1st June, 1937.]

Preliminary

1. This Act may be cited as the Intestates' Estates and Property Charges Act. Short title.

2.—(1) In this Act—

Interpreta-
tion.

(a) “residuary estate” means every beneficial interest (including rights of entry and reverter) of the intestate in real and personal estate, after payment of all such funeral and administration expenses, debts and other liabilities as are properly payable thereout, which (otherwise than in right of a power of appointment) he could, if of full age and capacity, have disposed of by his will;

(b) “intestate” includes a person who leaves a will but dies intestate as to some beneficial interest in his real or personal estate;

(c) “personal chattels” means furniture and effects, including, where relevant—

3/1988
S. 2(a).

(i) articles of household or personal use or ornament, plate, plated articles, linen, china, glass, books, pictures, prints, jewellery, musical and scientific instruments and apparatus, wines, liquors and consumable stores;

- (ii) bicycles, stables, horses and domestic animals; and
 - (iii) motor vehicles and accessories therefor; but not including—
 - (iv) furniture, motor vehicles or other effects, used at the time of the death of the intestate exclusively or principally for business purposes; or
 - (v) money or securities for money;
- (d) “spouse” includes—
- (i) a single woman who has lived and cohabited with a single man as if she were in law his wife for a period of not less than five years immediately preceding the date of his death; and
 - (ii) a single man who has lived and cohabited with a single woman as if he were in law her husband for a period of not less than five years immediately preceding the date of her death;
- (e) “single woman” and single man” used with reference to the definition of “spouse” include a widow or widower, as the case may be, or a divorcee.

(2) Where for the purposes of this Act a person who is a single woman or a single man may be regarded as a spouse of an intestate then, as respects such intestate, only one such person shall be so regarded.

PART I. *Distribution of Estates of Intestates*

3.—(1) With regard to the real estate and personal inheritance of every person dying after the 1st June, 1937, there shall be abolished—

3/1988
S. 2 (b).

Abolition of descent to heir, curtesy, dower and escheat.