

whether the father and mother are or have been married to each other, and all other relationships shall be determined accordingly.

(2) The rule of construction whereby in any instrument words of relationship signify only legitimate relationship in the absence of a contrary expression of intention is hereby abolished.

(3) Subject to subsection (4), this section shall apply in respect of every person, whether born before or after the 1st day of November, 1976, and whether born in Jamaica or not, and whether or not his father or mother has ever been domiciled in Jamaica.

(4) Nothing in this section shall affect or limit in any way any rule of law relating to—

- (a) the domicile of any person;
- (b) the provisions of the Children (Adoption of) Act which determine the relationship to any other person of a person who has been adopted;
- (c) the construction of the word "heir" or of any expression which is used to create an entailed interest in real or personal property.

4.—(1) All dispositions made before the 1st day of November, 1976, shall be governed by the enactments and rules of law which would have applied to them if this Act had not been passed.

(2) Where any disposition to which subsection (1) applies creates a special power of appointment, nothing in this Act shall extend the class of person in whose favour the appointment may be made, or cause the exercise of the power to be construed so as to include any person who is not a member of that class.

Transitional provisions re wills, and other instruments and intestacies.

(3) The estates of all persons who have died intestate as to the whole or any part thereof before the 1st day of November, 1976, shall be distributed in accordance with enactments and rules of law which would have applied to them if this Act had not been passed.

(4) In this section "disposition" means a disposition, including an oral disposition, of real or personal property whether *inter vivos* or by will or codicil; and notwithstanding any rule of law, a disposition made by will or codicil executed before the 1st day of November, 1976, shall, notwithstanding the provisions of section 29 of the Wills Act, not be treated for the purposes of this section as made on or after that date by reason only that the will or codicil is confirmed by a codicil executed on or after that date.

### *Status of Children*

5.—(1) For the purposes of the administration or distribution of the estate of any deceased person or of any other property held upon trust, every personal representative or trustee shall, whenever it is material in the circumstances, make honest and reasonable inquiries as to the existence of any person who could claim an interest in the estate or other property by reason only of this Act, but shall not be obliged to pursue such inquiries further than he honestly and reasonably believes to be necessary.

Protection  
of personal  
representa-  
tives and  
trustees.

(2) No action shall lie against any personal representative or trustee, by any person who could claim an interest in the estate or other property aforesaid by reason only of this Act, to enforce any claim arising by reason of the fact that the personal representative or trustee has made any distribution of the estate or property or otherwise acted in the administration of the estate or property disregarding the claims of that person where, at the time of making the distribution or otherwise so acting, the trustee, having made