

Law of Property (Execution of Powers) Act 1975

Chapter 290.

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Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.

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Law of Property (Execution of Powers) Act 1975.

ARRANGEMENT OF SECTIONS.

1. Powers exercisable otherwise than by will.
2. Powers exercisable by will.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

AN ACT

entitled

Law of Property (Execution of Powers) Act 1975,

Being an Act to make certain provision for the execution of powers of appointment.

1. POWERS EXERCISABLE OTHERWISE THAN BY WILL.

(1) Where a power of appointment by an instrument other than a will is exercised—

(a) by deed executed and attested in accordance with the *Wills, Probate and Administration Act 1966*; or

(b) by an instrument under the *Land Registration Act 1981* executed and attested in accordance with that Act,

the instrument is, in respect of its execution and attestation, a valid exercise of the power notwithstanding that by the instrument creating the power some additional or other form of execution or attestation, or some other solemnity, is required.

(2) Subsection (1) applies to the exercise after 15 September 1975 (being the date of commencement of the pre-Independence *Wills, Probate and Administration (Powers) Act 1975*) of a power of appointment created by an instrument, no matter when the instrument came into effect.

2. POWERS EXERCISABLE BY WILL.

Sections 7(2) and 15 of the *Wills, Probate and Administration Act 1966* applies in relation to the exercise of a power of appointment by a will.

Office of Legislative Counsel, PNG