

Tokelau Amendment Act 1969

TOKELAU

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An Act to amend the Tokelau Act 1948

1. Short Title - This Act may be cited as the Tokelau Amendment Act 1969, and shall be read together with and deemed part of the Tokelau Act 1948 (hereinafter referred to as the principal Act).

8. Legitimacy - (1) Every person, whether born before or after the passing of this Act, and whether born in Tokelau or not, and whether or not his parents or either of them were domiciled in Tokelau at the time of his birth, shall for all the purposes of the law of Tokelau be deemed to be the legitimate child of each of his parents, and all other relationships in respect of that person shall be deemed to be traced through lawful wedlock accordingly.

(2) The provisions of this section -

- (a) In so far as it affects wills, shall have effect only in relation to the wills of testators who die after the passing of this Act; and
- (b) In so far as it affects instruments other than wills, shall have effect only in relation to instruments executed after the passing of this Act.

(3) All wills of testators who have died before the passing of this Act, and all other instruments executed before the passing of this Act, shall be governed by the enactments and rules of law which would have applied to them if this Act had not been passed.

(4) The estates of all persons who have died intestate as to the whole or any part thereof before the passing of this Act shall be distributed in accordance with the enactments which would have applied to them if this Act had not been passed.

(5) No action shall lie against any executor or administrator or trustee of the estate of any person who dies after the passing of this Act or the trustee under any instrument executed after the passing of this Act by any person whose relationship to the deceased or to any other person or, as the case may be, to the settlor or to any other person is in any degree traced otherwise than through lawful wedlock, by reason of the executor or administrator or trustee having made any distribution of the estate or trust disregarding the claims of the person so related where at the time of making the distribution the executor, administrator, or trustee had no notice of the relationship of that person to the deceased or the settlor or any other person.
