



TRINIDAD AND TOBAGO.

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[L.S.]

I ASSENT,

HUBERT YOUNG,
Governor.
22nd June, 1940.

AN ORDINANCE to amend the Wills and Probate
Ordinance, 1939.

Commencement.

[27th June, 1940.]

ENACTED by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof.

Short title.

1. This Ordinance may be cited as the Wills and Probate
(Amendment) Ordinance, 1940.

2. After section 35 of the Wills and Probate Ordinance, 1939, the following section numbered 35A shall be inserted—

New section
added to
Ordinance
No. 17 of 1939.

Administra-
tion of
estates
by Consular
Officers.

35A. (1) Anything to the contrary notwithstanding in sections 30 and 35 of this Ordinance, whenever any subject or citizen of any State mentioned in the first column of the Fifth Schedule hereto dies within the Colony, or dies outside the Colony leaving property in the Colony, and no person is present in the Colony at the time of his death who is rightfully entitled to administer the estate of such deceased person, the Consul, Vice-Consul, or Consular Agent of such State within the Colony may take possession and have the custody of the property of such deceased person, and may apply the same in payment of his debts and funeral expenses, and may retain the surplus for the benefit of the persons entitled thereto; but such Consul, Vice-Consul, or Consular Agent shall immediately apply for, and shall be entitled to obtain from the Court, administration of the estate of such deceased person, limited in such manner and for such time as to the Court shall seem fit:

Variation of
Schedule.

(2) It shall be lawful for the Governor by proclamation to vary the Schedule referred to in the next preceding subsection—

(a) by deleting therefrom any State when the provision of the Treaty with that State mentioned in the Schedule shall have ceased to have effect;

(b) by adding thereto any State with whom His Majesty shall make a Treaty of Commerce and Navigation containing provision similar to any of the provisions mentioned in the Schedule aforesaid.

Schedule
added to
Ordinance
No. 17 of 1939.

3. After the Fourth Schedule to the Wills and Probate Ordinance, 1939, the following shall be added—

FIFTH SCHEDULE.

Section 35A.

Name of State.	Title of Treaty.	Date of Treaty.	Provision.
Estonia	... Treaty of Commerce and Navigation between the United Kingdom and Estonia	18th Jan., 1926	Article 22.
Finland	... Treaty of Commerce and Navigation between the United Kingdom and Finland	14th Dec., 1923 ...	Article 19 (third paragraph).
Greece	... Treaty of Commerce and Navigation between the United Kingdom and Greece	16th July, 1926	Article 23.
Hungary	... Treaty of Commerce and Navigation between the United Kingdom and Hungary	23rd July, 1926	Article 14.
Japan	... Treaty of Commerce and Navigation between the United Kingdom and Japan	3rd April, 1911	Article 5.
Thailand	... Treaty of Commerce and Navigation between the United Kingdom and Siam (Thailand)	23rd Nov., 1937...	Article 19.
Turkey	... Treaty of Commerce and Navigation between the United Kingdom and Turkey	1st March, 1930	Article 28.
Yugoslavia	... Treaty of Commerce and Navigation between the United Kingdom and the Kingdom of the Serbs, Croats and Slovenes	12th May, 1927 ...	Article 24.

Passed in Council this seventh day of June, in the year of Our Lord one thousand nine hundred and forty.

WM. GOCKING,
Clerk of the Council.