

NORFOLK



ISLAND

# AGE OF MAJORITY ACT 1980

Act No. 33 of 1980

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## Age of Majority Act 1980

Act No. 33 of 1980

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An Act relating to the age of majority

[Reserved for assent 30 October 1980]

[Assented to 22 December 1980]

BE IT ENACTED by the Legislative Assembly of Norfolk Island as follows —

### Short title

1. This Act may be cited as the *Age of Majority Act 1980*.

### Commencement

2. (1) This Act shall come into operation on a date fixed by the Administrator by notice published in the Gazette.

- (2) That date is, in this Act, referred to as “the commencing date”.

### Age attained on anniversary of birthday

3. For the purposes of this Act, a person shall be taken —
  - (a) to attain the age of 18 years on the eighteenth anniversary of the date of his birth; and
  - (b) to attain the age of 21 years on the twenty-first anniversary of the date of his birth.

### Age of majority 18 years

4. (1) Subject to this Act, a person attains full age for all purposes of the law of Norfolk Island when he attains the age of 18 years.

- (2) A person who has attained the age of 18 years is not subject to any want of legal capacity by reason only of his age.

- (3) Where, on the commencing date, a person had attained the age of 18 years but had not attained the age of 21 years, the provisions of this Act apply to, and in relation to, that person as if he had attained the age of 18 years on that date.

**Construction of laws and instruments made after commencing date**

5. (1) This section applies to —
- (a) an enactment in force on, or at any time after, the commencing date; and
  - (b) an instrument (including a will or codicil) executed on or after that date.
- (2) Subject to subsection 6(2), unless the contrary intention appears, the expressions “majority”, “full age”, “*sui juris*”, “minor”, “minority”, “infant”, “infancy”, “nonage”, and any similar expressions, when used in a law or instrument to which this section applies, shall be construed in accordance with section 4.
- (3) This Act does not affect a reference in a law or instrument to an age expressed in years.
- (4) this Act does not —
- (a) affect the validity or operation of a settlement or disposition of property made before the commencing date; or
  - (b) affect the operation of any rule or principle of the common law or of equity by which the validity or operation of such a settlement or disposition is to be determined.

**Construction of wills made before the commencing date**

6. (1) This Act does not affect the construction of a will or codicil made before the commencing date.
- (2) Unless the contrary intention appears, a codicil made on or after the commencing date, being a codicil to a will made before that date, shall be construed as if this Act had not been enacted.

**Distribution of intestacy**

7. (1) Where a person died intestate before the commencing date, the person administering the estate of the deceased is not, by reason only of this Act, obliged to distribute any portion of the estate to a person before that person attains the age of 21 years.
- (2) Subsection (1) extends to a case of partial intestacy and to the distribution of so much of the estate of the deceased as is affected by the partial intestacy.

**Moneys payable under judgments, etc**

8. An order or direction in force immediately before the commencing date in relation to money recovered by an infant in proceedings in a court or payable to an infant as a result of proceedings in a court has effect, on and after that date, as if a reference to the attainment by the infant of the age of 21 years (however expressed) were a reference to the attainment of the age of 18 years.

**Savings**

- 9.** This Act does not affect —
- (a) a want of legal capacity arising otherwise than by reason of the age of a person; or
  - (b) rights or obligations arising from a contract of employment made before the commencing date.

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Commenced 15 January 1981 (Gazette No. 4, 15 January 1981.)

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