

Reform of the 1975 Act

03 January 12

The Law Commission published its final report into reform of ' *Intestacy and Family Provision Claims on Death*' on Wednesday 14 December.

The Report follows the consultation on reform of the intestacy rules and the Inheritance (Provision for Family and Dependents) Act 1975 in winter 2009, and a supplementary consultation in summer 2011 on sections 31 and 32 of the Trustee Act 1925.

The Report is now available to download free of charge from the Law Commission's project page on their website [here](#) together with related documents and an analysis of consultation responses including those from a number of charities.

Professor Elizabeth Cooke, Law Commissioner, will give the key note address at [Legacy Labyrinth 2012](#) to talk about those aspects of the Report most relevant to charities including recommendations that will make it easier for disappointed individuals to claim as dependants.

The Daily Telegraph published [Robin Paul's](#) article on another of the main recommendations of interest to charities – namely that the category of estates where a claim may be made should be widened to include the estates of people not domiciled in England and Wales where at least part of their estate passes under English succession law (for instance where they have a house or flat in England or Wales). [Follow this link](#) to read the article.

At present, if a testator is it is not domiciled in England and Wales, it is not possible for anyone to bring a claim under the 1975 Act.