

# Australian Succession Law

## Why a national service?

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For wills and estates practitioners, jurisdiction-specific guidance remains critical but the need for a complementary wider perspective is increasingly important. *Australian Succession Law* addresses these dual requirements.

### **Uniform succession laws**

Australia's state-based succession laws are progressively changing in conformity with the recommendations of the National Committee on Uniform Succession Laws. Most jurisdictions have introduced wills legislation substantially in accord with the Committee's recommendations, encouraging practitioners to look around Australia for interpretation and cases regarding wills. Beyond wills, NSW has now reformed the law of family provision, and other states are watching those developments closely. Intestacy enters the early stages of reform with NSW expected to proclaim the reforms to the intestacy provisions of its succession legislation in early 2010, while recommendations for reforms to administration and probate laws were also recently released. The model laws for succession law reform, recommended by the National Committee, are reproduced in the service.

### **Cross-border practice**

In *Australian Succession Law*, extensive commentary for all jurisdictions acknowledges uniformity and highlights differences, facilitating cross-border practice. Knowledge of the law in other jurisdictions assists practitioners advising clients with interstate assets or other circumstances such as changes in residence over time. This is particularly important in family provision applications where uniformity has been recommended but only one state, NSW, has commenced reform. Variations exist in areas such as eligible applicants, same sex relationships, property available for distribution, and claw-back provisions.

### **Legislation current and at point in time**

With dynamic reforms progressively and variably introduced across jurisdictions, practitioners require current legislation and legislation at critical points in time, as the consequences for a client may vary considerably. *Australian Succession Law* meets this need by reproducing the relevant portfolio of current laws for each jurisdiction; all updating with the implementation of the uniform succession law reforms. As well, repealed laws with ongoing application will be reproduced as at critical points in time.

*Australian Succession Law*, a three-volume looseleaf and online service, offers national coverage of four key areas of succession law: Wills, Intestacy, Administration and probate, and Family provision. The service includes all relevant legislation and expert commentary for each Australian state and territory, informed by wider reform progress.