

Issues Paper on Review of section 120 of the Succession Act 1965 and Admissibility of criminal convictions in civil proceedings

Closing date for submissions: 26 January 2015

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With this issues paper, the Commission is seeking views in relation to the following:

1. Reform of section 120 of the Succession Act 1965 as it applies to property held in a joint tenancy;
2. Whether section 120 of the 1965 Act should be extended beyond murder, attempted murder and manslaughter;
3. The possibility of granting the courts power to modify the effect of the forfeiture rule;
4. The extension of the forfeiture rule to bar applications under section 67A(3) of the 1965 Act³ ;
5. The possible review of section 120(4) of the 1965 Act;
6. The necessity of a criminal conviction for the application of the forfeiture rule;
7. Costs of civil proceedings relating to the application of the forfeiture rule and alternatives to litigation;
8. Admissibility of criminal conviction in civil proceedings.