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AN BILLE COMHARBAIS, 2000
SUCCESSION BILL, 2000

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

Section

1. Short title, collective citation and construction.
 2. Gifts to medical practitioner of testator to be void.
-

Acts Referred to

Medical Practitioners Act, 1978

1978, No. 4

Succession Act, 1965

1965, No. 27



AN BILLE COMHARBAIS, 2000
SUCCESSION BILL, 2000

BILL

entitled

5 AN ACT TO RENDER NULL AND VOID GIFTS MADE
UNDER A WILL TO THE MEDICAL PRACTITIONER OF
A TESTATOR.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) This Act may be cited as the Succession Act, 2000.

Short title,
collective citation
and construction.

10 (2) This Act and the Succession Act, 1965, may be cited together
as the Succession Acts, 1965 to 2000, and shall be construed together
as one Act.

15 **2.**—(1) Any devise, bequest, estate, interest, gift, or appointment,
of or affecting any property (other than charges and directions for
the payment of any debt or debts) given or made by a will to a person
who is, at the time of execution of the will, the medical practitioner
of the testator or the spouse of that medical practitioner shall, so far
only as concerns that medical practitioner or his or her spouse, or
any person claiming under either of them, be utterly null and void.

Gifts to medical
practitioner of
testator to be void.

20 (2) *Subsection (1)* shall not apply in respect of a medical prac-
titioner who is—

(a) a brother or sister of the testator or of his or her spouse, or
a child of such brother or sister,

25 (b) a parent or grandparent of the testator or of his or her
spouse,

(c) a spouse of the testator, or

(d) a child or grandchild of the testator or of his or her spouse.

30 (3) In this section “medical practitioner” means a medical prac-
titioner within the meaning of the Medical Practitioners Act, 1978.



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EXPLANATORY MEMORANDUM

Purpose of Bill

The purpose of the Bill is to render null and void any gift made under a will to the medical practitioner of a testator or to the spouse of that medical practitioner.

Provisions of Bill

Section 1 contains standard provisions relating to the short title of the Bill, collective citation and construction.

Section 2 provides that any devise, bequest, estate, interest, gift, or appointment, of or affecting any property given or made by a will to a person who is, at the time of execution of the will, the medical practitioner of the testator or the spouse of that medical practitioner shall, so far only as concerns that medical practitioner or his or her spouse, or any person claiming under either of them, be utterly null and void.

This rule shall not apply in respect charges or directions for the payment of debts due and owing to the medical practitioner. Nor shall it apply in respect of a medical practitioner who is a member of the testator's immediate family.

*An Teachta Seán Ó Riain,
Feabhra, 2000.*