

MEDIA RELEASE

18 December 2019

Helen McQueen
Deputy President
Law Commission

LAW COMMISSION TO REVIEW LAW ABOUT WHO INHERITS PROPERTY WHEN SOMEONE DIES

The Law Commission is reviewing the law of succession. In this review, the Law Commission will consider who should be entitled to inherit a person's property when they die.

The Law Commission will look at the rules that apply when someone dies without leaving a will. The Commission will also review the rights of surviving partners, children and other family members, particularly if they think they have not been properly provided for in the deceased's will.

Helen McQueen, Deputy President and lead Commissioner on the review, said:

"This is an important project. We will all be affected by succession law at some point in our lives.

"Some of the law in this area hasn't been reviewed in decades. Over this time New Zealand has undergone significant social change, affecting the relationships we enter, the property we own and what we think family means. The law may not have kept pace with these changes and the reasonable expectations of New Zealanders.

"We will be asking some fundamental questions. How important is it that someone's will is followed? Should family members be able to claim more property than the will gives them? How should the law apply to diverse family arrangements, such as second relationships and step-families? How should property be divided if there is no will?"

The Law Commission will hold a public consultation process during 2020 to enable New Zealanders to share their views. The Law Commission intends to report to the Government with its recommendations for any reform by the end of 2021.

-ENDS-



This media release and a copy of the Terms of Reference for the Succession Law Review is available from our website at [\[LINK\]](#)

For further information and comment, contact:

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Background:

The Law Commission is an Independent Crown Entity operating under its own statute, the Law Commission Act 1985. It reports to the Minister responsible for the Law Commission. The Commission's statutory purpose is to "promote the systematic review, reform and development of the law of New Zealand". The Law Commission receives its work programme for reform and development work as references from the responsible Minister under section 7 of the Law Commission Act and from Parliament.

More information can be found at <https://www.lawcom.govt.nz>



