

# STANDING COMMITTEE OF ATTORNEYS-GENERAL

NOVEMBER 2009

## OUT OF SESSION DECISIONS

### ***Harmonisation***

#### **Application of national personal property securities (PPS) scheme to security interests in fixtures**

Ministers:

- (a) noted that consultation with a range of stakeholders has revealed a preference for the national PPS scheme to apply to security interests in fixtures. However, this proposal gives rise to potential complexities that could arise from the interaction of a federal personal property securities law and State and Territory land laws.
- (b) agreed to request the Commonwealth Government to refer this matter to the Australian Law Reform Commission for review and report by June 2011.

### **Succession law**

SCAG thanked the National Committee on Uniform Succession Law (the National Committee) for its years of hard work in producing recommendations and model provisions for the national reform of law on wills, family provision, intestacy and the administration of deceased estates. Ministers agreed to adopt the National Committee's suite of model provisions as the basis for reform of succession law with the objective of minimising substantive differences (whether of a technical or policy nature) between jurisdictions in all future succession legislation. A SCAG succession law implementation committee will monitor future succession legislation in all jurisdictions as part of Ministers' commitment to working towards consistency in succession law across Australia.

### **Proportionate liability**

Ministers agreed to convene a roundtable conference comprising litigation experts and other stakeholders to be hosted by the Commonwealth to resolve outstanding policy and drafting concerns with current legislation with a view to settling a final uniform model by July 2010.