

Public DEFENDER

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Please help!

I need some legal advice

Facing a test of wills

MY husband is the youngest of 12 siblings and recently his last surviving parent passed away. My husband had been informed by both parents when they were alive that the home would be left to him. He has not had any contact regarding the reading of the will and doesn't know if in fact the will has been read. He has been told by several siblings that the home has been left to several different family members other than himself. Can my husband request a copy of the will and if so how would he go about doing so?

- Ann

Have your legal queries answered on our blog with Maurice Blackburn legal expert Rebecca Gilsenan at noon today



THERE is no requirement in NSW for a will to be formally read with all of the beneficiaries present. As a child of the deceased, your husband is entitled to inspect or be given a copy of his parents' will. He will have to find out who is the executor and or the solicitor of the estate. He should write to both, referring to his right to inspect or be given a copy of the will under section 54 of the Succession Act.

Legal information is general in nature and not to be regarded as legal advice by Maurice Blackburn

Let buyers beware

Labor dumps consumer affairs portfolio from Cabinet

Rosemarie Lentini

THEY gave up on Grocery Choice. They gave up on FuelWatch. Now the Federal Government has given up on consumer affairs policy altogether by axing it as a ministerial portfolio.

It was Labor that reinstated consumer affairs to the ministry in 2007 — part of its pre-poll pledge to put downward pressure on the cost of living. But in yet another display of its political ADHD, the attention of the scatter-gun

Gillard Government has again been diverted.

The consumer affairs portfolio — held by Craig Emerson and before him Chris Bowen — will now be subsumed into Treasury.

Parliamentary Secretary for Treasury David Bradbury will assist Treasurer Wayne Swan on consumer issues.

Spinning the downgrade, Treasury said consumer affairs would get more attention under the responsibility of a Cabinet minister.

In a statement to *The Daily*

Telegraph, Mr Swan's spokesman said: "The Deputy Prime Minister and Treasurer looks forward to working with David Bradbury on consumer affairs."

But the move has "further disappointed" consumer advocates, angry about the previous Labor Government's consumer affairs record.

At its 2007 election the Rudd government promised strong consumer protection reforms — starting with the appointment of a dedicated minister. But the failed price

comparison websites Grocery Choice and FuelWatch left consumer advocates reeling.

Consumer Action Law Centre policy director Nicole Rich said the Government's post-election backflip was "a backward step" which could undermine the implementation of hard-won consumer protection laws.

"For 13 years we saw nothing happen without a dedicated minister," Ms Rich said yesterday.

"Then for three years we got some good reforms like

consumer protection laws and unfair contract laws. Who's going to drive the next phase of reforms?"

Choice spokesman Christopher Zinn agreed there should be a dedicated minister so consumer interests "don't get lost".

"But by the same token if that minister doesn't have the clout to bring change, it could be a hollow ask," he said.

The Coalition has retained the shadow consumer affairs portfolio to counter the Government's "complacency".

Ship blues for cancer sufferer

Rosemarie Lentini

AS IF being diagnosed with cancer wasn't hard enough for Pamela Thorn, a billion dollar cruise liner refused to postpone her family's holiday for just four months while she was undergoing chemotherapy.

In July 2009, Ms Thorn and 11 relatives paid \$2400 to reserve four cabins for a 12-day cruise with Princess Cruises.

Nearly a year later, on June 6, the 64-year-old was diagnosed with incurable lung cancer.

Her second round of chemotherapy was scheduled to start during the cruise.

The great-grandmother from Bomaderry, on the state's South Coast, asked Princess Cruises if her family could postpone their trip until February 2011.

Princess Cruises refused — they would only hold the deposit for Ms Thorn's cabin.

Princess Cruises spokesman David Jones said that, while he was sympathetic, letting the whole family change their booking would cost the company money.



No holiday: Pamela Thorn with granddaughter Tanae Ruttlely, husband Jim and daughter Kim

Picture: Simon Bullard



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