

HEAD OF FAMILY (ACCOUNTABILITY) ACT

1985 (PNDCL 114)

Section 1-Head of family to be accountable

(1) Despite a law to the contrary, a head of family or a person who is in possession or control of, or has custody of, a family property is accountable for that property to the family to which the property belongs.

(2) A head of family or a person who is in possession or control of, or has custody of, a family property shall take and file an inventory of the family property.

Section 2-Application to Court for order to account

(1) Where a head of family fails or refuses to render account or file an inventory of the family property, a member of the family to which that property belongs who has or claims to have a beneficial interest in the property, may apply by motion to a Court for an order compelling the head of family to render account or file an inventory of the family property to the family.

(2) An application under subsection (1) shall not be entertained by the Court unless the Court is satisfied that the applicant had taken steps to settle the matter within the family and that the attempts had failed.

Section 3-Court to order account

Subject to section 2, a Court may make an order compelling the head of family to render account or file an inventory in respect of the family properties in the possession, control or custody of the head as the Court may specify in the order.

Section 4-Interpretation

For the purposes of this Act,

"Court" means a court of competent jurisdiction;

"family property" includes property, whether movable or immovable, which belongs to the members of a particular family collectively or is held for the benefit of the members and the receipts or proceeds from that property.

"head of family" includes a person who is in possession of or in control of, or has custody of a family property.

Made this 14th day of June, 1985.