

Article 6.

Miscellaneous Provisions.

§ 31D-6-601. Uniformity of application and construction.

In applying and construing this Chapter, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it. (2015-205, s. 3(a).)

§ 31D-6-602. Relation to Electronic Signatures in Global and National Commerce Act.

This Chapter modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. § 7001 et seq., but does not modify, limit, or supersede section 101(c) of 15 U.S.C. § 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of 15 U.S.C. § 7003(b). (2015-205, s. 3(a).)

§ 31D-6-603. Application to existing relationships.

(a) Except as otherwise provided in this Chapter, on or after August 11, 2015:

- (1) This Chapter applies to a power of appointment created before, on or after August 11, 2015.
- (2) This Chapter applies to a judicial proceeding concerning a power of appointment commenced on or after August 11, 2015.
- (3) This Chapter applies to a judicial proceeding concerning a power of appointment commenced before August 11, 2015, unless the court finds that application of a particular provision of this Chapter would interfere substantially with the effective conduct of the judicial proceeding or prejudice a right of a party, in which case the particular provision of this Chapter does not apply and the superseded law applies.
- (4) A rule of construction or presumption provided in this Chapter applies to an instrument executed before August 11, 2015, unless there is a clear indication of a contrary intent in the terms of the instrument or unless application of that rule of construction or presumption would impair substantial rights of a party created under North Carolina law in effect prior to August 11, 2015, in which case that rule of construction or presumption does not apply and the superseded rule of construction or presumption applies.
- (5) Except as otherwise provided in subdivisions (1) through (4) of this subsection, an action taken before August 11, 2015, is not affected by this Chapter.

(b) If a right is acquired, extinguished, or barred on the expiration of a prescribed period that commenced under law of this State other than this Chapter before August 11, 2015, the law continues to apply to the right. (2015-205, s. 3(a).)