

# PROJET DE LOI

ENTITLED

## **The Wills (Temporary Provisions) Law, 1944 \***

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* Ordres en Conseil Vol. XII, p. 145; as amended by the Wills (Temporary Provisions) Amendment Law, 1955 (Ordres en Conseil Vol. XVI, p. 276). See also the Confirmation of Laws (Guernsey) Law, 1945 (Ordres en Conseil Vol. XII, p. 165).

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## **The Wills (Temporary Provisions) Law, 1944**

### ARRANGEMENT OF SECTIONS

1. Definition of "Will".
2. Validity of will executed outside the Bailiwick.
3. Realty and personalty in same will.
4. Legacy to witness, etc.
5. Short Title.

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## **The Wills (Temporary Provisions) Law, 1944**

**LES ÉTATS** ont approuvé les dispositions suivantes lesquelles, moyennant la Sanction de, et Promulgation par Monsieur le Baillif et l'Approbation de Monsieur le Platzkommandant Allemand, auront force de Loi en cette Île.

### **Definition of "Will".**

1. In this Law the expression "**will**" means a will of realty or a will of both realty and personalty and extends to Codicils.

### **Validity of will executed outside the Bailiwick.**

2. The validity of a will executed outside the Bailiwick of the Island of Guernsey [after the second day of September, nineteen hundred and thirty-nine] shall not be questioned –

- (a) on the ground of faulty attestation if it has been attested in conformity with the requirements regarding the attestation of wills of personalty of the Law relating to "Testaments de Meubles" registered on the public records of this Island on the thirty-first day of July, 1847,
- (b) on the ground that realty and personalty are disposed of by the same Will.

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**NOTE**

*In section 2, the words in square brackets were substituted by the Wills (Temporary Provisions) Amendment Law, 1955, section 1 and, in accordance therewith, shall have effect and shall be deemed always to have had effect.*

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**Realty and personalty in same will.**

3. Should the testator have disposed of realty as well as personalty by the same will, the Royal Court may grant permission to register a copy of the said will, duly authenticated by the Court which has granted probate thereof, on the public records and such copy when registered shall have the same force, virtue and effect as if the will itself had been registered on the public records. The said copy shall be and remain deposited at the Greffe in the same manner as an original will.

**Legacy to witness, etc.**

4. A legacy made in a will to a person who is an attesting witness or to a person who at the time of the execution of the will is the husband or wife of an attesting witness shall be null and void.

**Short Title.**

5. This Law may be cited as the Wills (Temporary Provisions) Law, 1944.

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**NOTES**

*The Law was registered on the Records of the Island of Guernsey on 9th December, 1944.*

*In accordance with the provisions of the Confirmation of Laws (Guernsey) Law, 1945, section 1, Schedule, the Law shall have effect, and shall be deemed always to have had effect, as if the assent of His Majesty had been signified thereto; and shall be deemed to have been duly registered on 9th December, 1944.*

