



ANNO QUARTO

GEORGI VI REGIS.

A.D. 1940.

No. 11 of 1940.

An Act to amend the Wills Act, 1936.

[Assented to 26th September, 1940.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited as the "Wills Act Amendment Act, 1940". Short titles.

(2) The Wills Act, 1936, as amended by this Act, may be cited as the "Wills Act, 1936-1940".

(3) The Wills Act, 1936, is hereinafter called "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. The following section is hereby enacted and inserted in the principal Act after section 6 thereof:— Enactment of s. 6a of Principal Act—

6a. (1) A will made—

(a) during a war by a member of any naval, military, or air force of the Commonwealth or of any other part of His Majesty's Dominions: or

(b) during or after a war by any person who had during that war been such a member,

shall, if the person making the will was, at the time when the will was made, of the age of eighteen years or more be as valid as if he were of the age of twenty-one years or more.

Extension of testamentary capacity of soldiers, sailors and airmen.

Wills Act Amendment Act, 1940.

(2) This section shall have effect notwithstanding any other provision of this Act or of any other Act, and shall have the same effect as if it had come into operation on the third day of September nineteen hundred and thirty-nine.

(3) In this section "a war" means any war in which the Commonwealth of Australia is engaged.

(4) For the purposes of this section a war shall be deemed to continue from the commencement thereof until the day on which a proclamation is issued by the Commonwealth declaring that the war has ceased.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. M. BARCLAY-HARVEY, Governor.