



ST. CHRISTOPHER AND NEVIS

CHAPTER 12.16

WILLS (SOLDIERS AND SAILORS) ACT

Revised Edition

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

WILLS (SOLDIERS AND SAILORS) ACT

Act 7 of 1944 ... in force 12th January 1944

Amended by: Act 15 of 1983

Act 19 of 1983

Page

3

CHAPTER 12.16
WILLS (SOLDIERS AND SAILORS) ACT

ARRANGEMENT OF SECTIONS

1. Short title
2. Interpretation
3. Explanation of section 11 of Principal Act
4. Extension of section 11 of Wills Act, Cap. 12.15
5. Validity of testamentary dispositions of real property made by soldiers and sailors
6. Power to appoint testamentary guardians

CHAPTER 12.16

WILLS (SOLDIERS AND SAILORS) ACT

AN ACT TO MAKE PROVISION FOR THE DISPOSITION OF PERSONAL ESTATE BY SOLDIERS AND SAILORS.

Short title.

1. (1) This Act may be cited as the Wills (Soldiers and Sailors) Act.
(2) The Wills Act, Cap. 12.15, is hereinafter called the Principal Act.

Interpretation.

2. For the purposes of section 11 of the Principal Act and this Act, the expression "soldier" includes a member of the Air Force, and references in this Act to section 11 include a reference to that section as explained by this Act.

Explanation of section 11 of Principal Act.

3. In order to remove doubts as to the construction of the Principal Act, it is hereby declared and enacted that section 11 of that Act authorises and always has authorised any soldier being in actual military service, or any mariner or seaman being at sea, to dispose of his or her personal estate as he or she might have done before the passing of that Act, though under eighteen years.

(Amended by Act 15 of 1983)

Extension of section 11 of Wills Act, Cap. 12.15.

4. Section 11 of the Principal Act, shall extend to any member of Her Majesty's naval or marine forces not only when he or she is at sea but also when he or she is so circumstanced that if he or she were a soldier he or she would be in actual military service within the meaning of that section.

Validity of testamentary dispositions of real property made by soldiers and sailors.

5. A testamentary disposition of any real estate in the State made by a person to whom section 11 of the Principal Act applies, and who dies after the passing of this Act, shall, notwithstanding that the person making the disposition was at the time of making it under eighteen years or that the disposition has not been made in such manner or form as was at the passing of this Act required by law, be valid in any case where the person making the disposition was of such age and the disposition has been made in such manner and form that if the disposition had been a disposition of personal estate made by such a person domiciled in the State it would have been valid.

Power to appoint testamentary guardians.

6. Where any person dies after the passing of this Act having made a will which is, or which, if it had been a disposition of property, would have been rendered valid by section 11 of the Principal Act, any appointment contained in that will of any person as guardian of the infant children of the testator shall be of full force and effect.
