

Succession Act, 1925

Section 66 - MODE OF MAKING, AND RULES FOR EXECUTING, PRIVILEGED WILLS

1) Privileged wills may be in writing, or may be made by word of mouth. (2) The execution of privileged wills shall be governed by the following rules:- (a) The will may be written wholly by the testator, with his own hand. In such case it need not be signed or attested. (b) It may be written wholly or in part by another person, and signed by the testator. In such case it need not be attested. (c) If the instrument purporting to be a will is written wholly or in part by another person and is not signed by the testator, it shall be deemed to be his will, if it is shown that it was written by the testator's directions or that he recognised it as his will. (d) If it appears on the face of the instrument that the execution of it in the manner intended by the testator was not completed, the instrument shall not, by reason of that circumstance, be invalid, provided that his non-execution of it can be reasonably ascribed to some cause other than the abandonment of the testamentary intentions expressed in the instrument. (e) If the soldier, airman or mariner has written instructions for the preparation of his will, but has died before it could be prepared and executed, such instructions shall be considered to constitute his will. (f) If the soldier, airman or mariner has, in the presence of two witnesses, given verbal instructions for the preparation of his will, and they have been reduced into writing in his lifetime, but he has died before the instrument could be prepared and executed, such instructions shall be considered to constitute his will, although they may not have been reduced into writing in his presence, nor read over to him. (g) The soldier, airman or mariner may make a will by word of mouth by declaring his intentions before two witnesses present at the same time. (h) A will made by word of mouth shall be null at the expiration of one month after the testator, being still alive, has ceased to be entitled to make a privileged will