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van Suidwes-Afrika.
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1/- Wednesday, 10th April, 1935. WINDHOEK Woensdag, 10 April 1935. No. 610

The following Draft Ordinance which will be introduced during the First Session of the Third Legislative Assembly is published for general information.

F. P. COURTNEY CLARKE,
Secretary for South West Africa.

Administrator's Office,
Windhoek,

Die volgende Ontwerpordonnansie, wat gedurende die Eerste Sessie van die Derde Wetgewende Vergadering voorgelê sal word, word vir algemene informasie gepubliseer.

F. P. COURTNEY CLARKE,
Sekretaris vir Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek,

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Ordonnansie betreffende Intestate Erfopvolging 1935 Bladsy 9362

DRAFT ORDINANCE

To provide for the amendment of the law relating to intestate succession.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa as follows:—

1. (1) The surviving spouse of every person who after the commencement of this Ordinance dies either wholly or partly intestate, is hereby declared to be an intestate heir of the deceased spouse according to the following rules:—

- (a) If the deceased spouse leaves any descendant who is entitled to succeed *ab intestato*, the surviving spouse shall succeed to the extent of a child's share.
- (b) If the deceased spouse leaves no descendant who is entitled to succeed *ab intestato*, the surviving spouse shall be the sole intestate heir.

(2) For the purposes of this Ordinance any relationship by adoption under the provisions of the Adoption of Children Ordinance, 1927 (Ordinance No. 10 of 1927), shall be equivalent to blood relationship.

2. This Ordinance may be cited as the Intestate Succession Ordinance, 1935.

ONTWERPORDONNANSIE

Om voorsiening te maak vir die wysiging van die wet betreffende intestate erfopvolging.

DIT WORD VERORDEN deur die Wetgewende Vergadering van die Gebied Suidwes-Afrika as volg:—

1. (1) Die oorblywende eggenoot van elke persoon wat na die inwerkingtreding van hierdie Ordonnansie of geheel of gedeeltelik intestaat sterf, word hiermee verklaar 'n intestaat erfgenaam van die oorlede eggenoot te wees ooreenkomstig die volgende reëls:—

- (a) Wanneer die oorlede eggenoot 'n afstammeling agterlaat wat geregtig is om *ab intestato* te erwe, erf die oorblywende eggenoot ten bedrae van 'n kindsdeel.
- (b) Wanneer die oorlede eggenoot geen afstammeling agterlaat wat geregtig is om *ab intestato* te erwe, is die oorblywende eggenoot die enigste intestate erfgenaam.

(2) Vir die doeleindes van hierdie Ordonnansie is enige verwantskap deur aanneming kragtens die bepalings van die Aanneming van Kinders Ordonnansie 1927 (Ordonnansie No. 10 van 1927) gelykwaardig met bloedverwantskap.

2. Hierdie Ordonnansie kan aangehaal word as die Ordonnansie betreffende Intestate Erfopvolging, 1935.