



Republic of Namibia
Annotated Statutes

Dissolution of Marriages on Presumption of Death Act 31 of 1993

(GG 768)

came into force on date of publication: 20 December 1993

ACT

To provide for the dissolution of marriages of persons presumed to be dead.

(Signed by the President on 6 December 1993)

ARRANGEMENT OF SECTIONS

1. Declaration of dissolution of marriages by High Court on presumption of death
2. Effect of certain findings made at an inquest
3. Repeal of Act 23 of 1979
4. Short title

BE IT ENACTED by the Parliament of the Republic of Namibia, as follows:-

Declaration of dissolution of marriages by High Court on presumption of death

1. Whenever an order presuming the death of a married person is made by the High Court of Namibia, that court may, when making such order or at any time thereafter, on the application of that person's spouse, make an order that the marriage in question shall be deemed to have been dissolved by death on a date determined by that court, and thereupon that marriage shall for all purposes be deemed to have been dissolved by death on the date so determined.

Effect of certain findings made at an inquest

2. Where at an inquest held under the Inquests Act, 1993 (Act 6 of 1993) in respect of the death of a married person, any finding in respect of that death has, by virtue of the provisions of subsection (2) or (3) of section 21 of that Act, the effect of an order of the High Court of Namibia presuming the death of the person concerned, the marriage in question shall

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for all purposes be deemed to have been dissolved by death on the date of death of the said person as recorded in terms of section 18(2)(c) of that Act.

Repeal of Act 23 of 1979

3. The Dissolution of Marriages on Presumption of Death Act, 1979 (Act 23 of 1979) is repealed.

Short title

4. This Act shall be called the Dissolution of Marriages on Presumption of Death Act, 1993.