

Okulongekidhila aantu mboka wu hole ya mone sha ngele wa si: NOMOLWASHOKA OWU NA OKUNYOLA ETESTAMENDI





Onda popi naJohn kombinga yokunyola etestamendi, ihe ye ina hala. Ngele ina hala okunyola etestamendi lyuukumwe, otandi ningi lyandje mwene.

Okunyola etestamendi kashi shi oshinima oshiye momuthigululwakalo gwetu, ashike osha simana noonkondo. Oto dhimbulukwa shoka sha ningilwa Sophie sho Michael a si?

Michael okwa si moshiponga shohauto. Michael kakwa li a ninga etestamendi. Aakwanezimo yaMichael oye ya kegumbo lye, konima yomasiku gaali sho a si e taya topola po eliko lye. Omuholikekadhona gwaMichael, Sophie, yina yuunona we, okwa thigwa pomutenya. Ngashingeyi kaye na mpoka taya kala noita vulu oku ya landela omizalo dhosikola.

Etestamendi oshike?

Etestamendi olyo odokumende yomushangwa gwopaveta, ashike ohayi ningwa komuntu mwene, moka to popi shoka wa hala shi ka ningilwe eliko lyoye, nenge ngoka taka takamitha aamoye mbo aashona, na olye ta ka kala omutopoli guuthiga woye uuna wa hulu po.

Olye ta vulu okuninga etestamendi?

Oto vulu okuninga etestamendi ngele owu na omimvo 16 nenge dhi vule po. Owu na okukala wu shi nowu uvite ko shoka to ningi. Ito pitikwa wu ninge etestamendi ngele, pethimbo to ningi etestamendi, ku li nawa momutse noito vulu okuninga omatokolo.

Shoka tashi ningwa po ngele omuntu gwontumba okwi idhimbike etestamendi sho omuntu a si

Etestamendi kehe oli na okukala li na omutopoli guuthiga. Omutopoli guuthiga omuntu ngoka ta wilike eliko lyuuthiga nokukala a shilipalelwa kutya uuthiga owa topolwa tuu shili pauyuuki shi ikolelela ketestamendi. Ngele oto dhiladhila kutya omutopoli guuthiga ina topola uuthiga mondjila, oto vulu okuninga enyenyeto kOmukuluntu gwOmpangu yoPombanda.

Ngele aantu yontumba oya si noinaa thiga ga po etestamendi, oto vulu okuninga eindilo kOmukuluntu gwOmpangu yoPombanda (ngele uuthiga owu na ongushu yi vule N\$100 000) nenge kOmupanguli (ngele uuthiga owu na ongushu N\$100 000 nenge uushona) opo omutopoli guuthiga a vule okuwilika etopolo lyuuthiga.



Ongulohi ya piti omukulukadhi gwandje okwa thaneke kutya kehe gumwe oku na okuninga etestamendi lye. Ye omugoya! Ngame inandi hala okuninga etestamendi.



Omukulukadhi gwoye oku na oondunge noonkondo. Atuheni otu shi shi kutya onkalamwenyo ondhigu. Ngele ino ninga etestamendi, oto ka dhigupaleka onkalamwenyo yomukulukadhi gwoye naamoye. Owa hala ya ka mone iihuna ngele wa si?

Mpaka opu na omatompelo 6 kutya omolwashike sha simana okuninga etestamendi:

1. Ngele owa thigi po etestamendi, eliko lyoye otali topolwa shi ikolelela kwaashi wa hala. Oto vulu okukala wa shilipalelwa kutya kehe gumwe okwa yeelwa kwaashoka WA hala shi ningilwe eliko LYOYE.
2. Oto vulu okutokola ngoka taka takamitha aamoye. Ngele aavali ayehe oya si yaa na omatestamendi, aakwanezimo yoye nenge oveta oyi na okutokola kutya olye ta kala ta sile uunona oshimpwiyu.
3. Oto vulu okuthigila aantu mboka wu hole omagano gomeliko lyoye, ngaashi ando aakwanezimo yoye. Ngele owa ninga ethaneko kutya OLYE ta pewa SHONTUMBA, mpoka itapu ka kala oonyenyeta dhasha.
4. Ngele ino thiga po etestamendi, otashi ka kwata ethimbo ele opo eliko lyoye li topolwe. Shika otashi ti kutya aantu mboka ya pumbwa okulongitha eliko otaya mono iihuna omanga ya tegelela eliko li topolwe.
5. Ngele owa si inoo ninga etestamendi ngoye waa na nando omukwanezimo gumwe, iimaliwa otayi ningi yepangelo.
6. Efumviko lyoye inali kwatelwa mo alihe meliko lyoye ngele ino shi popya metestamendi. Shika otashi ti kutya ombila yoye nemanya lyokombila yoye ayihe oyi na okufutwa kaakwanezimo yoye kaku shi kuuthiga weliko lyoye.





Ngele ngame nomukulukadhi gwandje atuhe otwa si, otwa tsa kumwe kutya meme oye taka takamitha aamwetu. Meme otaka landitha po egumbo lyetu niimaliwa ote ke yi longitha okusila aamwetu oshimpwiyu.

Ngele ino shi nyola metestamendi, kapu na omushangwa tagu ti kutya shika osho wa hala. Nyoko otaka ya kompangu e taka pula mangestrata opo e mu pe epitikilo lyopaveta ndyoka tali ti kutya oye omutekuli gwaamoye. Shika ohashi pula ethimbo niimaliwa. Dhimbulukwa, nyoko oha kala komukunda, kokule nohofa.



Nopwaa na etestamendi, nyoko ita vulu okulanditha po eliko nopwaa na epitikilo lyohofa (nenge lyOmuwiliki opo a tale ongushu yomagumbo). Niimaliwa yuunona otayi ka wilikwa kOshiketha shOmutekuli shOmuwiliki gwOmpangu yoPombanda. Omakwathelo gopashikako otaga ka kala haga futwa komuntu ngoka ta takamitha okanona.



Mbika iilonga oyindji ya gwedhwa po. Meme okwa kulupa noita ka vula okupiyaganekwa kiinima mbika. Ngiika ondi na okuninga etestamendi.

Eeno, owu na oku ninga.



Otandi ningi ngini etestamendi?

Aantu oyendji ohaya pula aapanguli nenge omuntu ngoka ha longo koombanga dhawo opo ye ya kwathele okuninga etestamendi. Oto vulu okunyola etestamendi ngoye mwene. Ashike owu na okukala wa shilipalelwa kutya ngele ino ninga etestamendi li li mondjila, itali ka kala li na oonkondo. Aantu oyendji ohaya yi pomuntu gwontumba opo e ya kwathele.



Oshike ngele onda lundulula omadhiladhilo gandje kombinga yaangoka nda hala okuthigila eliko lyandje?

Oto vulu okulundulula etestamendi lyoye ethimbo kehe wa hala. Ashike ethimbo kehe to ningi elunduluko, owu na okulandula omilandu dhokuninga etestamendi - elunduluko kehe oli na okushainwa kungoye mwene nokoombangi.



Otandi vulu okulundulula etestamendi lyandje?

Eeno, oto vulu. Uuna to ningi etestamendi epe, owu na okukwatela mo omushangwa ngoka tagu ti kutya etestamendi ndika olya pingena po etestamendi lyonale. Ngele owa ndopa oku shi ninga, omatestamendi agehe gaali oge na okuleshwa pamwe. Ngele oga yoolokathana, Omutali gwetestamendi oku na okuzimina etestamendi ndyoka wa ningi lwopopepi neso lyoye. Ihe ohashi kala aluhe oshivanawa okunyola petestamendi lyoye epe kutya olya pingena po omatestamendi omakulu.

Shoka tashi vulu okunyolwa metestamendi

Oto vulu okuninga yimwe yomwaambi tayi landula:

1. **Thamuna lela kutya oye ta vulu okupewa iinima yomeliko lyoye.**
(Oshiholelwa, "okalinga kandje kondjokana otandi ka thigile okamwandjekadhona Ruth.")
2. **Tumbula edhina lyomuntu ngoka taka thigulula eliko lyoye pakwalukehe.**
(Oshiholelwa, "eliko lyandje alihe otali ka topolelwa aamwandje shi thike pamwe.")
3. **Ulika omutekuli ngoka taka tekula uunona mboka wu na.**
(Oshiholelwa, "Otandi ulike omumwamemekadhona Ellen oye a takamithe aamwandje.")
4. **Ulika "omutopoli guuthiga" ngoka taka wilika iifuta yeliko lyoye lyoongunga kehe wa li wu na omanga inoo sa, nokuwilika etopolo lyeliko ndyoka lya thigala po.**
(Oto vulu okuulika kutya omutopoli guuthiga ota kwathelwa komuntu gwontumba i ili ngele osha pumbiwa. Ogo omadhiladhilo omawanawa opo wu ulike omutopoli guuthiga omutiyali wa ningila kutya nando omutopoli guuthiga gwotango ngele okwa si omanga inoo sa nenge ita vulu oku shi ninga nenge okugwanitha po iilonga ye onga omutopoli guuthiga.)

Omaukwatya gopetameko wu na oku ga kwatela mo metestamendi lyoye

Omaukwatya goye nogofamili

1. Edhina lyoye lyu udha, omimvo, onomola yokamutse nondjukithi tayi kalelele.
2. Uukwatya wopandjokana woye nonge owa hokana eliko li li mumwe nenge eliko lya topoka, nedhina lyomukulukadhi/omusamane gwoye nonomola yokamutse.
3. Edhina, uukashikekookantu nomimvo dhokanona kehe, nonge okanona kehe inaka hokana/hokanwa nenge okahokana/hokanwa. Uukwatya waangoka taka tekula aamoye ngele yo aashona natango.
4. Omaukwatya gaantu mboka taya ka thigulula. Omaukwatya gaashoka taya ka thigulula.
5. Edhina nuukwatya womutopoli guuthiga (omuntu ngoka ta ka wilika etestamendi naangoka taka kala noshinakugwanithwa shokutopola uuthiga nokukala a kwashilipalelwa kutya eliko olya topolwa pauyuuki.)

Omaukwatya geliko niimaliwa

1. Onkalo yoye yomuthika gwopaliko (oshiholelwa, shoka wu na, iimaliwa mbyoka wu na oongunga, nomauwanawa gasha kehe wu na, ngaashi oasulansi yekwashilipaleko lyonkalamwenyo).
2. Oonomola dhiifendela yokongulu yoye noyomusamane/kulukadhi gwoye.
3. Oondjukithi dhiilonga yoye, omugandji nenge oshiketha shaathigululi yopenzela nondjukithi yomugandji gwiilonga.
4. Uukwatya wehangano lyoye niilonga (oshiholelwa, omadhina noondjukithi dhomahangano ga yama kulyoye, nomalombwelo kutya ongeshefa ndjoka wu na otayi landithwa po nenge otayi tsikile komeho).

Shoka to ningi ngele wa nyola etestamendi lyoye

1. Gandja etestamendi lyoye kukuume koye omwiinekelwa, omusita, omukuluntugongalo, omukalelipo nenge omuwiliki gwombaanga, nenge wu yi pungule pehala lya gamenwa. Kala wa shilipalelwa kutya aantu mboka taya ka mona mo sha metestamendi lyoye oye shi mpoka li li. Ota ya ka pumbwa ombapila yo yene ya shainwa uuna wa hulu po.
2. Aluhe kala wa tula etestamendi pamuthika opo wu gandje omalunduluko agehe gomonkalamwenyo wa ningi po ngaashi ondjokana, okanona ka valwa, nenge okulanda egumbo nenge evi.

lipumbiwa yetestamendi opo li kale li na ongushu

Osha simana noonkondo opo wu landule omalombwelo nuukeka, nongele hasho, etestamendi itali kala nongushu:

1. Etestamendi oli na okunyolwa nokushainwa lyu udha pehulilo komuningi gwetestamendi.
2. Omuntu ngoka a ningi etestamendi oku na okushaina po nendhindhiliko, ngaashi okusitamba nomunwe, ihe Aaganithi Aakuluntu, ngaashi omunambeleva gwopolisi nenge omuwiliki gwombaanga, oye na okukala ya shilipalelwa lela kutya omuntu ngoka oye shili mwene gwokamutse hoka ngoka a shaina etestamendi nodokumende ndjoka oyo etestamendi lyomuntu ngoka.
3. Omuntu gwontumba ota shaina etestamendi peha lyomuntu ngoka a ningi etestamendi. Shika ohashi holola owala uuna omuntu ngoka a ningi etestamendi itaa vulu okulongitha iikaha ye opo a shaine etestamendi (oshiholelwa, omuntu a lemana). Omuntu a shaina etestamendi nomuholike gwe ke na mo uuwanawa washa metestandi ndyoka.
4. Etestamendi oli na okushainwa nenge endhindhiliko oli na okuningwa montaneho yaakalelipo yaali.
5. Aakalelipo oye na okukala ye na omimvo 14 noye na omadhiladhilo. Itaya ka mona uuwanawa washa metestamendi ndika na inaya kala yu ulikwa kaatekuli yaamoye nenge kaatopoli yuuthiga woye.
6. Aakalelipo oye na okushaina etestamendi ngele ya mono kutya omuntu ngoka a ningi etestamendi okwa shaina. Aakalelipo oye na okushaina etestamendi montaneho yomuntu ngoka a ningi etestamendi nomontaneho yawo yene. Aakalelipo oye na okushaina meudhililo. Itaya longitha omafupipiko nenge endhindhiliko.

Ngele etestamendi ele li vule epandja limwe, omuningi gwetestamendi naakalelipo tuu mboka oye na okushaina omapandja agehe nomashainokaha gawo gu udhilila. Ngele Aaganithi Aakuluntu oya kwashilipaleke eshaino lyetestamendi lya shainwa nendhindhiliko, Omukuluntu ngoka oku na okushaina omapandja agehe.

Aaamwandje
otaya ka likola sha
okuza metestamendi
lyandje ngele nda hulu po.
Oyo AATHIGULULI.

Aashiinda
yandje Selma naTheo oyo
aakalelipo yetestamendi lyandje.
Oye lile po okutala kutya ondu uvite ko
tuu shoka tandi ningi nokutala ngele
onda shaina shili ngame mwene.
Yo oyo AAKALELIPO.

Ondu
ulike tatekulu
John oye OMUTOPOLI
gwetestamendi lyandje.
Ota kala a shilipalelwa lela
kutya aathigululi oya mona
shoka ye na oku shi mona.
Ngele tatekulu John okwa si
manga ngame inaandi sa,
omumwamemekadhona
Hilda oye ta ningi
omutopoli.

Ondu ulike
omumwamemekadhona
Mara nomumwamemegona
Tina oyo ya kale AATEKULI
yaamwandje. Oye ya shi noye
ya hole. Otaya ka sila uunona
oshimpwiyu nokutakamitha
oombumbwe dhawo
dhesiku kehe.

Ongame
Hertha. Otandi nyola
etestamendi lyandje. Ongame
OMUGANDJUUTHIGA.





Ngashingeyi onda tseya kutya omolwashike sha simana okuninga etestamendi. Otandi dhiladhila kutya natse otu na okuninga lyetu.

Onda nyanyukwa wo. Tangi unene!

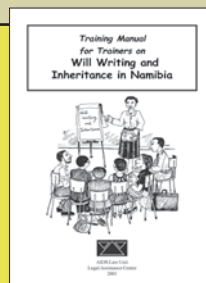
OMATOMPELO GA-6 KUTYA OMOLWASHIKE SHA SIMANA OKUNINGA ETESTAMENDI

1. Ngele owa thigi po etestamendi, eliko lyoye otali topolwa shi ikolelela komahalo goye. Owu na okukala wa shipapalelwa kutya kehe gumwe okwa yelwa kombinga yaashoka NGOYE wa nina neliko LYOYE.
2. Oto vulu okutokola ngoka ta sile aamoye oshimpwiyu. Ngele aavali ayehe oya si inaaya ningi etestamendi, aakwanezimo yoye nenge oveta oyi na okutokola ngoka ta kala noshinakugwanithwa shokutakamitha uunona.
3. Oto vulu okuthiga po omagano gomeliko lyoye gaantu mboka wu hole, ngaashi aakwanezimo. Ngele owa ulike kutya OLYE ta mono SHIKE, itapu ka kala oontamanana.
4. Ngele ino thiga po etestamendi, otashi ka pula ethimbo nuule opo eliko lyoye li topolwe. Shika otashi vulu okutya aantu mboka ya pumbwa okulongitha eliko lyoye otaya ka mona iihuna omanga ya tegelela eliko li topolwe.
5. Ngele owa si inoo nina etestamendi noku na aakwanezimo yasha, iimaliwa otayi ningi po yEpangelo.
6. lifuta ayihe yefumviko lyoye itayi kala ya kwatelwa mo muuthiga ngele shika inashi nyolwa mo metestandi. Shika otashi ti kutya ofuto ngaashi yombila noyemanya otayi ka futwa kaakwanezimo yoye peha yokufutwa kuuthiga woye.

Oshinyolwa shika osha holoka po mokulongitha uuyeleele wa za moshinyanya-ngidhwa sho-LAC Aids Law Unit shedhina

Will Writing and Inheritance in Namibia (Okunyola Etestamendi nUuthiga muNamibia). Alikana mona oshinyanyangidhwa shika opo wu mone uuyeleele owundji.

OAids Law Unit otayi vulu okukwathela aantu yamwe opo ya ninge etestamendi. Ngele owa hala okuninga eindilo molwekwathelo lyokuninga etestamendi, alikana monathana naAids Law Unit. Ngele owa hala okuninga etestamendi, oto vulu okudhengela omupopiliko nenge ombaanga, nenge to vulu okuninga lyoye ngoye mwene, ashike dhimbulukwa kutya owu na okuninga etestamendi li li mondjila. Ngele ino nina etestamendi li li mondjila, itali kala li na oonkondo.



Otwa hala okuuva eyamukulo lyoye kombinga yoshinyolwa shika.

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Okafo haka otaka vulu okuningwa ookopi omolwomalalakano ge na sha nelongo, shampa ashike onzo ya tseyithilwa.

Alikana ndhindhilika kutya oLegal Assistance Centre itayi vulu oku ku kwathela nomauyeleele go genegene kombinga yokuninga etestamendi lyoye.



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Oontopolwa dhokanyolwa haka dhopalusheno nenyanyangidho lyoAids Law Unit **Will Writing and Inheritance in Namibia** otali adhika ko website yo LAC: www.lac.org.na