



SUPPLEMENT No. 2

TO

THE SOVEREIGN BASE AREAS GAZETTE

No. 324 of 5th March, 1971.

LEGISLATION

ORDINANCE 3 OF 1971.

AN ORDINANCE

TO AMEND THE WILLS AND SUCCESSION ORDINANCE.

DEREK HODGKINSON

27th February, 1971.

ADMINISTRATOR

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows :—

1. This Ordinance may be cited as the Wills and Succession (Amendment) Ordinance, 1971 and shall be read as one with the Wills and Succession Ordinance (hereinafter referred to as "the principal Ordinance").

Short title.

Cap. 195 (Laws of Cyprus).

2. Section 41 of the principal Ordinance is hereby amended by inserting at the end of sub-section (2) thereof the following proviso :—

Section 41 of the principal Ordinance amended.

"Provided that there shall be no such reduction or abatement where a person dies leaving a spouse, but no child nor descendant of a child, nor a father nor a mother and the part of his estate disposed of by will in excess of the disposable portion, which may amount to the whole of the lawful portion, has been bequeathed to the surviving spouse."

3. The principal Ordinance is hereby amended by repealing Section 42 thereof and substituting therefor the following new section :—

Section 42 of the principal Ordinance repealed and replaced.

"Complete freedom of disposition in certain cases.

42. The provisions of Section 41 of this Ordinance relating to the disposable portion shall not apply in the following cases :

- (a) on any will of movable or immovable property owned by a person who was born or whose father was born in the United Kingdom or in any other country (except the Republic of Cyprus) which was an independent member country of the Commonwealth at the time when such will was made or at any time thereafter during the lifetime of such person, whether such person was at any time domiciled in the Areas or not;
- (b) on any will of movable property owned by an alien, whether such alien was at any time domiciled in the Areas or not.

For the purposes of this paragraph "alien" means a person who is not a citizen of the Republic but does not include an alien born in the Island of Cyprus whose parents were ordinarily resident in any part of the Island of Cyprus at the time of his birth or whose father was born in the Island of Cyprus at a time when the parents of the said father were ordinarily resident in any part of the Island of Cyprus, or an alien wife of a citizen of the Republic in respect of whose marriage there has not been a decree of dissolution or judicial separation (by whatever name called) of a competent Court of any country."

27th February, 1971.

J.E. CARRUTHERS
Chief Officer.