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THE OFFICIAL GAZETTE 22ND NOVEMBER, 2024
LEGAL SUPPLEMENT — C

BILL No. 17 of 2024

Friday 22nd November, 2024

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

22nd November, 2024.

The following Bill which will be introduced in the National Assembly is published for general information.

S.E. Isaacs,
Clerk of the National Assembly.

GUYANA

BILL No. 17 of 2024

WILLS (AMENDMENT) BILL 2024

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Insertion of new section 6A in the Principal Act.
3. Insertion of new section 14 in the Principal Act.

A BILL

Intituled

AN ACT to amend the Wills Act.

A.D. 2024 Enacted by the Parliament of Guyana:-

Short title. Cap. 12:02

1. This Act, which amends the Wills Act, may be cited as the Wills (Amendment) Act 2024.

Insertion of new section 6A in the Principal Act.

2. The Principal Act is amended by the insertion immediately after section 6 of the following section –

"Affidavit of attesting witness as to due execution of a will.

6A. (1) One of the attesting witnesses to a will may swear to an affidavit of due execution of the will, immediately after the execution of the will or as soon as practicable after the execution of the will.

(2) The affidavit of due execution of the will referred to in subsection (1), may be stated at the bottom of the will or on a separate page annexed to the will, or may be a separate document.

(3) Notwithstanding any other law or practice, an affidavit of due execution of a will from one of the attesting witnesses to the will shall be sufficient evidence as to the due execution of the will unless the Court orders otherwise.".

Insertion of new section 14 in the Principal Act.

3. The Principal Act is amended by the insertion immediately after section 13 of the following section –

"Regulations.

14. (1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) Regulations may provide for offences for breach of any regulation and the penalties shall not exceed a fine of one million dollars and imprisonment of five years.

(3) Regulations made under this section shall be subject to negative resolution of the National Assembly.".

Explanatory Memorandum

This Bill amends the Wills Act by inserting in that Act new sections 6A and 14.

The new section 6A(1), provides that one of the attesting witnesses to a will may swear to an affidavit as to due execution of the will immediately after the execution of the will or as soon as practicable after the execution of the will.

Section 6A(2) of the new section provides for the affidavit of due execution under subsection (1) to be stated at the bottom of the will, on a separate page annexed to the will or to be a separate document.

Section 6A(3) provides that notwithstanding any other law or practice, one affidavit of due execution of a will shall be sufficient evidence as to the due execution of the will unless the Court orders otherwise. Only the Court may decide that circumstances require two affidavits or any other evidence.

Section 14 provides for the Minister to make regulations for the better carrying out of the provisions of the Act. Under section 14 the Minister has power to make offences for breaches of the regulations and the penalties for the breaches shall not exceed a fine of one million dollars and imprisonment of five years. Regulations made shall be subject to negative resolution of the National Assembly.



Hon. Mohabir Anil Nandlall, S.C., M.P.
Attorney General and Minister of Legal Affairs