



Wills Act 1963

1963 CHAPTER 44

6 Interpretation.

(1) In this Act—

“internal law” in relation to any territory or state means the law which would apply in a case where no question of the law in force in any other territory or state arose;

“state” means a territory or group of territories having its own law of nationality;

“will” includes any testamentary instrument or act, and “testator” shall be construed accordingly.

(2) Where under this Act the internal law in force in any territory or state is to be applied in the case of a will, but there are in force in that territory or state two or more systems of internal law relating to the formal validity of wills, the system to be applied shall be ascertained as follows—

(a) if there is in force throughout the territory or state a rule indicating which of those systems can properly be applied in the case in question, that rule shall be followed; or

(b) if there is no such rule, the system shall be that with which the testator was most closely connected at the relevant time, and for this purpose the relevant time is the time of the testator’s death where the matter is to be determined by reference to circumstances prevailing at his death, and the time of execution of the will in any other case.

(3) In determining for the purposes of this Act whether or not the execution of a will conformed to a particular law, regard shall be had to the formal requirements of that law at the time of execution, but this shall not prevent account being taken of an alteration of law affecting wills executed at that time if the alteration enables the will to be treated as properly executed.

Changes to legislation:

There are currently no known outstanding effects for the Wills Act 1963, Section 6.