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## STATUTORY INSTRUMENTS

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# 1994 No. 1899

## The Wills and Administration Proceedings (Northern Ireland) Order 1994

### PART II

### WILLS

#### *Execution of will*

#### **Gift to witness**

8.—(1) Subject to paragraph (3), if a witness to a will is a person to whom, or to whose spouse<sup>F1</sup> or civil partner], any property is given by the will (whether by way of gift or by way of exercise of a special power of appointment, but other than by way of a charge or direction for the payment of debts), the gift or appointment is void so far as concerns that witness or his spouse<sup>F1</sup> or civil partner] or any person claiming under the witness or spouse<sup>F1</sup> or civil partner].

(2) Notwithstanding that property is given by will as mentioned in paragraph (1), the witness is competent as a witness to prove—

- (a) the execution of the will;
- (b) the validity or invalidity of the will.

(3) Witnessing by a person to whom, or to whose spouse<sup>F1</sup> or civil partner], property is given as mentioned in paragraph (1) is to be disregarded if the will is duly executed without his signature and without that of any other such person.

**F1** 2004 c.33

**Changes to legislation:**

The Wills and Administration Proceedings (Northern Ireland) Order 1994, Section 8 is up to date with all changes known to be in force on or before 05 March 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order modified by [2016 c. 18 \(N.I.\) Sch. 5 para. 4\(2\)](#)