



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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DEPARTEMENT VAN DIE EERSTE MINISTER

DEPARTMENT OF THE PRIME MINISTER

No. 653.

29 Maart 1979.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 23 van 1979: Wet op die Ontbinding van Huwelike by Vermoede van Dood, 1979.

No. 653.

29 March 1979.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 23 of 1979: Dissolution of Marriages on Presumption of Death Act, 1979.

Act No. 23, 1979

DISSOLUTION OF MARRIAGES ON PRESUMPTION OF DEATH ACT,
1979.

ACT

**To provide for the dissolution of marriages of persons
presumed to be dead.**

*(Afrikaans text signed by the State President.)
(Assented to 16 March 1979.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Court may
declare certain
marriages to
be dissolved.

1. Any provincial or local division of the Supreme Court of South Africa making an order that the death of any married person shall be presumed, may, when making that order or at any time thereafter, on the application of such person's spouse, make an order that the marriage in question shall be deemed to have been dissolved by death as from a date determined by the court, whereupon that marriage shall for all purposes be deemed to have been dissolved by death as from the date so determined. 5 10

Effect of
certain finding
on a marriage.

2. Whenever an inquest has been held in accordance with the provisions of the Inquests Act, 1959 (Act No. 58 of 1959), in respect of the death of any married person, and any finding in respect of that death has, on review as contemplated in section 18 of that Act, the same effect, in terms of section 18 (2) of that Act, as if it were an order granted by the reviewing court or judge that the death of the person concerned shall be presumed in accordance with such finding, the marriage in question shall for all purposes be deemed to have been dissolved by death as from the date of death of the said person as recorded in terms of section 16 (2) (c) of that Act in that finding. 15 20

Short title.

3. This Act shall be called the Dissolution of Marriages on Presumption of Death Act, 1979.

WET OP DIE ONTBINDING VAN HUWELIKE BY VERMOEDE VAN DOOD, 1979. Wet No. 23, 1979

WET

Om voorsiening te maak vir die ontbinding van huwelike van persone wat vermoed word dood te wees.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 16 Maart 1979.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Enige provinsiale of plaaslike afdeling van die Hooggeregshof van Suid-Afrika wat 'n bevel uitvaardig dat die dood van enige getroude persoon vermoed word, kan by die uitvaardiging van daardie bevel of te eniger tyd daarna, op aansoek van daardie persoon se gade, 'n bevel uitvaardig dat die betrokke huwelik geag word vanaf 'n datum deur die hof bepaal, deur die dood 10 ontbind te wees, waarna daardie huwelik vir alle doeleindes geag word vanaf die datum aldus bepaal deur die dood ontbind te wees.

Hof kan verklaar dat sekere huwelike ontbind is.
2. Wanneer 'n geregtelike doodsondersoek ooreenkomstig die 15 bepalinge van die Wet op Geregtelike Doodsondersoeke, 1959 (Wet No. 58 van 1959), ten opsigte van die dood van 'n getroude persoon ingestel is en 'n bevinding ten opsigte van daardie dood by hersiening soos beoog in artikel 18 van daardie Wet, ingevolge artikel 18 (2) van daardie Wet dieselfde uitwerking het asof dit 'n bevel was, deur die hersieningshof of -regter uitgereik, dat die dood van die betrokke persoon ooreenkomstig daardie 20 bevinding vermoed word, word die betrokke huwelik vir alle doeleindes geag vanaf die datum van die dood van genoemde persoon soos ingevolge artikel 16 (2) (c) van daardie Wet in daardie bevinding aangeteken, deur die dood ontbind te wees.

Uitwerking van sekere bevinding op 'n huwelik.
3. Hierdie Wet heet die Wet op die Ontbinding van Huwelike 25 by Vermoede van Dood, 1979.

Kort titel.

