

Serial Number 1952/184



**THE SOLDIERS' WILLS EMERGENCY REGULATIONS 1939,  
AMENDMENT NO. 2**

H. F. O'LEARY,  
Administrator of the Government

**ORDER IN COUNCIL**

At the Government House at Wellington, this 15th day of  
October 1952

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL  
PURSUANT to the Emergency Regulations Continuance Act 1947, His  
Excellency the Administrator of the Government, acting by and with  
the advice and consent of the Executive Council, hereby makes the  
following regulations.

**REGULATIONS**

**1.** These regulations may be cited as the Soldiers' Wills Emergency Regulations 1939, Amendment No. 2, and shall be read together with and deemed part of the Soldiers' Wills Emergency Regulations 1939\* (hereinafter referred to as the principal regulations).

**2.** The Minister of Defence may, by notice in the *Gazette*, declare that, from any date specified in the notice (whether the date is before or after the commencement of these regulations or before or after the date of the notice), any part of the naval, military, or air forces of New Zealand shall be, or shall cease to be, an emergency force for the purposes of the principal regulations and these regulations.

**3.** Notwithstanding anything to the contrary in section 7 of the Wills Act 1837 or in section 171 of the Maori Land Act 1931, no will made by any person while he is a member of any emergency force, whether before or after the commencement of this regulation, shall be deemed to be invalid by reason of the testator's being under the age of twenty-one years at the time of the making of the will.

**4.** Without limiting the application of section 11 of the Wills Act 1837, it is hereby declared that every member of any emergency force shall be deemed to be and to have been, at all times while a member of that force, a soldier in actual military service within the meaning of that section.

T. J. SHERRARD,  
Clerk of the Executive Council.

\* Statutory Regulations 1939, Serial number 1939/276, page 1063.  
Amendment No. 1: (*Revoked by section 3 (5) of the Maori Purposes Act 1946*).

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

These regulations enable the New Zealand forces serving in Korea or any other special New Zealand force to be declared an emergency force for the purpose of making wills. Members of any force which is declared to be an emergency force may make valid wills without the usual formalities and although they are under twenty-one years of age.

---

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 October 1952.

These regulations are administered in the Public Trust Office.