

Is 'n testamentêre voorwaarde dat 'n erfgenaam nie weer mag trou nie geldig?

"I hereby direct that the residue of all my estate shall be given to Albert George de Weyer for himself absolutely on condition that he remains unmarried after my death. In the event of his marriage as aforesaid he will only be entitled to all the movable assets of my estate and then in that event the balance of all assets shall go to the Society for the Prevention of Cruelty to Animals of Johannesburg."

Die begunstigde doen toe aansoek vir skrapping van die voorwaarde. Is die voorwaarde geldig?

Nee. In die beslissing van Dayer vs Johannesburg SPCA, 1963 het die hof bevind dat so 'n bepaling teen die openbare belang of contra bonos mores is en derhalwe ongeldig.

Volker Krüger

U kan 'n testamentinstruksievel hier voltooi: [Testament Instruksievel](#) / [Will Instruction Sheet](#)