



MULTILINGUAL GLOSSARY: LAW OF SUCCESSION

ENGLISH	AFRIKAANS	ISIXHOSA
<p>Absolute bequest- a bequest that does not contain any conditions. It is the simplest way of making a bequest and the effect of such a bequest is that vesting normally takes place upon the testator's death</p>	<p>Absolute bemaking -'n Bemaking wat geen voorwaardes bevat nie. Dit is die eenvoudigste manier van bemaking en die effek van sodanige bemaking is dat oordrag normaalweg met die testateur se afsterwe plaasvind.</p>	<p>Umyolelo ongathandabuze kiyoo/ othe ngqo - Umyolelo ongenamigqaliselo. Eyona ndlela ilula yokwenza umyolelo nosiphumo sawo esigunyazisayo esithi senzeke emva kokusweleka kwalowo ubeyolela.</p>
<p>Accrual or ius accrescendi - the right of a testator's beneficiaries, under specific circumstances, to inherit an asset or assets which another beneficiary is not capable of inheriting or might not want to inherit</p>	<p>Aanwas of ius accrescendi - Die reg van die testateur se begunstigdes om onder spesifieke omstandighede 'n bate of bates te erf waar 'n bevoordeelde nie in staat is om te erf of nie wil erf nie</p>	<p>Ilungelo labantu abachongwe ngumyoleli ngokweemeko ezithile - Ilungelo labantu abachongwe ngumyoleli phantsi kwemiqathango ethile, okokuba bazuze ilifa kwinto okanye izinto anazo umyoleli lowo, ezinokuthi zenze okokuba omnye wabachongiweyo angabinako ukulifumana, okanye azikhwebule yena ngokunokwakhe.</p>
<p>Ademption-a form of tacit revocation of a legacy when a testator voluntarily alienates the object of a legacy during his or her lifetime causing the legacy to fail</p>	<p>Adempsie (stilswygende herroeping) - 'n soort stilswyende terugtrekking van 'n erfenis wanneer 'n testateur vrywillig die objek van 'n legaat tydens sy of haar leeftyd vervreem en veroorsaak dat die legaat faal</p>	<p>Urhoxiso-lifa - Uhlobo lokurhoxiswa kwelifa kungathethwananga, xa umyoleli ethe ngokuthanda kwakhe wabahlutha ubumnini belifa ngexesha esadla amazimba, nto ke leyo eyenza ukuba indaba yelifa iphanze.</p>

Adiation - the acceptance of a benefit from the estate of a testator	Adiëring (aanvaarding) - Die aanvaarding van 'n voordeel van die boedel van 'n testateur	Ulwamkelo-nzuzo kwizinto umyoleli anazo - Ukwamkelwa kwenzuzo kwizinto zalowo ubeyolela.
Administration of estate - the process, including all administrative actions to initiate and complete the process, by which a deceased estate is liquidated by an executor under the supervision of the Master of the High Court and is divided amongst the beneficiaries	Administrasie van boedels - Die proses, met inbegrepe van alle administratiewe handeling om die proses te begin en te voltooi, waardeur 'n bestorwe boedel gelikwider word deur 'n eksekuteur onder die toesig van die Weesheer (of Meester van die Hooggeregshof) en verdeel word onder al die begunstigdes	Ulawulo lwezinto umyoleli anazo - Inkqubo yomthetho ebandakanya zonke iimeko zolawulo, ekuyiqaleni nasekuyiphetheni le nkqubo, ekuthi ke izinto zalowo usishiyileyo zithengiswe ngumabi- lifa ukuze kuhlawulwe amatyala, eyenza le nto phantsi kweliso elibukhali loMphathi weNkundla ePhakamileyo, kutsho kwahlulelwe abo bachongiweyo.
Amendment - deletion, addition, alteration or interlineations by the testator. an amendment is distinguished from rectification, which takes place when a court adds, deletes or changes something in a will because the testator made a mistake	Amendement (wysiging) - Uitwissing, byvoeging, verandering of interliniëring (tussen reëls skrywe) deur die testateur. 'n Amendement word onderskei van rektifikasie (regmaking) wat plaasvind wanneer 'n hof iets byvoeg, uitwis, of aan 'n testament verander wanneer 'n testateur 'n fout begaan het	Isihlomelo - Ukucinywa, ukongeza, inguqulelo okanye ukuhluthwa kobumnini ngumyoleli. Isihlomelo siyahluka kulungiso oluthi lwenzeke xa inkundla yomthetho isongeza, icima okanye itshintsha into ethile kumyolelo ngesizathu sokuba umyoleli ethe wenza impazamo.
Animus testandi - the intention of the testator to make a will	Animus testandi - Die bedoeling of intensie van 'n testateur om 'n testament te maak	Injongo-myolelo - injongo yomyoleli xa esenza umyolelo
Armchair evidence - evidence used by the court to place itself in the position in which the testator was at the time of making of the will	Leunstoelgetuienis - Getuienis wat 'n hof gebruik om sigself in die posisie waarin die testateur, ten tyde van die opstel van die testament was, te plaas	Ubungqina ngokuqikelela - Ubungqina obusetyenziswa yinkundla yomthetho ngokuthi izibeke kwindawo umyoleli awayekuyo ngexesha awayesenza ngalo umyolelo.
Ascendants - ancestors of the deceased; anybody in the ascending (upwards) line of relation	Voorouers of assendente - Voorgeslagte van die oorledene; enige persoon in die voorafgaande linie van 'n bloedverwantskap	Abantu ngokomlibo wokuzalana - Izinyanya zomntu ongasekhoyo: kwanaye nawuphi na umntu okumlibo/ mnombo onyukayo wokuzalana.
Attestation clause - the clause that appears at the end of the will in which it is declared that all the parties were present and signed in one another's presence. It may also record the place and date	Attestasieklousule – die klousule wat aan die einde van die testament verskyn waarin verklaar word dat al die partye teenwoordig was en in mekaar se teenwoordigheid geteken het. Dit kan	Inqaku lobungqina - Inqaku elibonakala ekupheleni komyolelo apho kubhengezwa khona okokuba bonke abayimfanelo bebekhona ngexesha lesi sibhengezo baze basayina, omnye

of the signature	ook die plek en datum van die ondertekening aandui.	nomnye ekhona. Eli nqaku likwabonakalisa indawo nomhla wosayino-magama.
Beneficiary/ beneficiaries - the person or persons to whom a testator's estate is transferred. Beneficiaries are called heirs when they receive an inheritance and legatees when they receive a legacy. See also heir and legatee	Begunstigde/begunstigdes - Die persoon of persone aan wie die testateur se boedel oorgedra word. Begunstigdes word erfgename wanneer hulle 'n erfenis ontvang en legatarisse (erfgename van die restant) wanneer hulle 'n legaat ontvang. Sien ook erfgenaam (Eng. – heir) en legataris (Eng. – legatee)	Iindlalifa/ iindlalifa - Umntu okanye abantu abanelungelo kwizinto zikamfi. Babizwa ngokuba ziindlalifa xa befumana ilifa, ukanti ke bakwazizo iindlalifa xa befumana loo nto bayishiyelweyo ngokomyolelo.
Bequeath - to dispose of assets by means of a will	Bemaak - Van bates ontslae raak deur middel van 'n testament	Ukwaba - Ukwabiwa kwezinto ngokomyolelo
Capacity to act - a person's capacity to enter into legal acts. The required age is 18. This capacity must be distinguished from testamentary capacity. See also testamentary capacity	Bevoegdheid om te handel - 'n Persoon se bevoegdheid om wetlike ooreenkomste aan te gaan. Die vereiste ouderdom is 18. Hierdie bevoegdheid moet onderskei word van testamentêre bevoegdheid. Sien ook testamentêre bevoegdheid	Igunya lokwenza ngokomthetho - Igunya lomntu lokungena kwimimiselo yomthetho. Ubudala obusemthethweni yiminyaka elishumi elinesibhozo (18). Eli gunya malahlulwe kwelo lomyolelo. Jonga kwakhona kwigunya
Collation or collatio bonorum - under certain circumstances, a descendant who receives property (including money) from a testator's lifetime has to collate (bring in) such property (or its value) before he or she may inherit from the estate of the testator to ensure a fair distribution of the deceased estate amongst all the descendants	Kollasie(inbring) of collatio bonorum - Onder sekere omstandighede moet 'n afstammeling wat eiendom ontvang (ingeslote geld) van 'n testateur tydens die leeftyd van die testateur sodanige eiendom (of die waarde daarvan) kolleer (inbring) alvorens hy of sy van die boedel mag erf ten einde 'n regverdige distribusie onder die erfgename van die bestorwe boedel te verseker	Ufaniso/ uthelekiso - Phantsi kweemeko ezithile, inzala ethi ifumane izinto (eziquka nemali) kongasekhoyo ngokomyolelo wakhe ngexesha esaphila ifanele ukuzizisa ngaphambili ezi zinto (okanye ixabiso lazo) phambi kokuba ifumane kwilifa, ukuqinisekisa ukuba zonke izinto zahlulelwe ngokulinganayo inzala yalowo ungasekhoyo
Commorientes - people who die simultaneously in a disaster	Commorientes - Persone wat gelyktydig in 'n ramp omkom	Intlavubela yentlekele - Abantu ababhubha ngaxesha nye kwintlekele
Competent witness - with regard to a will, any person over the age of 14 years who is competent to give evidence in a court of law	Bevoegde getuie - Met betrekking tot 'n testament, enige persoon bo die ouderdom van veertien jaar (14) wat bevoeg is om in 'n geregshof getuienis af te lê	Inggina elifanelekileyo - Nawuphi na umntu ongaphezu kweminyaka elishumi nane (14) ngokubhekiselele kumyolelo, unako ukunika ubungqina kwinkundla yomthetho
Compos mentis - of sound mind	Compos mentis - By sy volle positiewe	Ongqondo iphilileyo - Ongqondo iphilileyo

<p>Conditional bequest - a bequest that depends on a future event which is uncertain, in the sense that it may or may not occur</p>	<p>Voorwaardelike bemaking - 'n bemaking wat afhanklik is van 'n onsekere toekomstige gebeurtenis, in dié sin dat dit sal of nie sal gebeur nie</p>	<p>Umyolelo ngokwemeko ethile - Umyolelo oxhomekeke kwinto enokuthi ihle kungaqinisekwanga ngayo okokuba ingenzeka okanye ingenzeki</p>
<p>Coniunctissimae personae - the persons closest to the deceased namely the surviving spouse, parents and children</p>	<p>Coniunctissimae personae- Persone naaste aan die oorledene, naamlik die langsewende gade, ouers en kinders</p>	<p>Olona sapho lukufutshane kumfi - Abona bantu bakufutshane kulowo ungasekhoyo, abanje ngomlingane osaphilayo, abazali nabantwana</p>
<p>Contractual succession or pactum successorium - a contract in which the parties attempt to regulate the devolution of the entire or part of the assets of one or both parties</p>	<p>] Kontraktuele opvolging of suksessie - 'n kontrak waarin albei partye poog om die devolusie (afwenteling) van 'n gedeelte of die geheel van die bates van een of albei partye te reguleer</p>	<p>Isibophelelo esigunyazisa ulawulo - Isibophelelo/isivumelwano apho abo bachaphazelekayo bazama ukulawula ugunyaziso lwazo zonke, okanye inxenye yezinto zomntu omnye okanye abantu bobabini</p>
<p>Curator - a person who has been legally appointed to take care of the interests of someone who is unable to manage his or her affairs, for example someone who is a minor or mentally ill. A curator ad litem is a person appointed to assist someone to litigate in court, and a curator bonis is a person appointed to administer property or an estate</p>	<p>Kurator - 'n persoon wat wettiglik aangestel is om na die belange om te sien van iemand wat nie in staat is om sy of haar sake te bestuur nie, byvoorbeeld iemand wat minderjarig is of wat verstandelik gestrem is. 'n Kurator <i>ad litem</i> is 'n persoon wat aangestel is om eiendom of 'n boedel te administreer</p>	<p>Umgcini ngokwase- mthethweni - Umntu okhethwe ngokwasemthethweni ukuba akhathalele/ ajonge izinto zalowo ungakwaziyo ukuzilawulela imicimbi yakhe, umzekelo, umntu oselula (umntwana) okanye umntu ogula ngengqondo. Umgcini (<i>curator ad litem</i>) owonyulelwe ukunceda omnye ukuba akwazi ukumangala kwinkundla yomthetho. Umgcini (<i>curator bonis</i>) yena wonyulelwa ukujongana nolawulo lomhlaba okanye ilifa.</p>
<p>Customary house - in customary law, the word 'house' refers to the family, property, rights and status connected to the customary marriage of a man and woman. Since polygyny is still practised amongst certain traditional communities, one family head may have more than one wife and thus more than one house because each wife constitutes a house with certain property, rights and status</p>	<p>Gewoontehuis - In gewoontereg verwys die woord "huis" na die familie, eiendom, regte en status wat gekoppel word aan die gewoontehuwelik van 'n man en 'n vrou. Aangesien poligamie steeds in gebruik is onder sekere tradisionele gemeenskappe kan een gesinshoof meer as een vrou hê en dus meer as een huis omdat elke vrou 'n huis konstitueer met sekere eiendom, regte en status.</p>	<p>Indlu ngokomthetho wesintu - Ngokomthetho wesintu, eli gama lithi 'indlu' libhekisa kusapho, umhlaba, amalungelo nobume obuhambelana nomtshato ngokwesiko phakathi kwendoda nomfazi. Njengoko isithembu sisasetyenziswa ngabanye abantu kwezinye indawo, intloko yekhaya iba makhosikazi mabini-mathathu, kungoko ke kuye kufuneke ezinye izindlu, ukwenzela okokuba inkosikazi nganye imele indlu yayo. Ke kufuneka inamalungelo ayo, izinto zayo</p>

		newonga layo.
<p>Customary law property - there are three categories of customary law property, namely family property, house property and personal property. Family property is property that has neither been allotted nor has accrued to a specific house. Family property is controlled by the head of the family, although the property is owned by all the family members together. It includes property that the family head inherited from his mother's house, property he acquired by his own labour and land allotted by the traditional authority to the family group, but not to a particular house. House property is property that accrues to a specific house in terms of customary law or is allocated by the family head to a particular house and must be used for the benefit of that house. It includes the earnings of the members of the house, livestock allocated to the house and its increase, property given to a wife at the time of her marriage, lobolo received for daughters of the house on their marriage, compensation for delicts against members of the house, agricultural products produced by the wife of the house, and other products produced by other members of the house. Personal property belongs to the person who acquired it and includes items of a personal nature such as a walking stick, a snuff box, clothing and jewellery</p>	<p>Gewoonteregeiendom- Daar is drie kategorieë gewoonteregeiendom, naamlik familie-eiendom, huiseiendom en persoonlike eiendom. Familie-eiendom is eiendom wat nóg geallokeer (toegeken) is nóg toeval aan 'n spesifieke huis. Familie-eiendom word beheer deur die gesinshoof al word die eiendom deur al die familielede gesamentlik besit. Dit sluit in eiendom wat die gesinshoof geërf het van sy moeder se huis, eiendom wat deur sy eie toedoen verwerf is en grond wat deur die tradisionele gesag aan die familiegroep toegeken is, maar wat nie gekoppel is aan 'n spesifieke huis nie. Huiseiendom is eiendom wat 'n spesifieke huis toeval in terme van gewoontereg of wat toegewys word deur die gesinshoof aan 'n spesifieke huis en tot voordeel van daardie huis gebruik moet word. Dit sluit in verdienstes van huislede, lewende hawe toegeken aan die huis en die vermindering daarvan, eiendom wat aan die vrou gegee is ten tyde van haar huwelik, lobola ontvang vir dogters van die huis wanneer hulle trou, kompensasie vir onregmatige dade (delikte) teen huislede, landbouprodukte geproduseer deur die vrou van die huis en ander produkte wat huislede produseer. Persoonlike eiendom behoort aan die persoon wat dit bekom het en sluit in items van 'n persoonlike aard soos 'n wandelstok, 'n snuifdoos, klere en juweliersware.</p>	<p>Ipropati ngokomthetho wesintu - Zintathu izintlu zomhlaba okanye impahla ngokomthetho wesintu, esingabala ezi zilandelayo: umhlaba (impahla) wosapho, ubumnini bendlu kunye nezinto ezingqamene nomntu. Ipropati yosapho yipropati engabelwanga okanye engongezelwanga ndlu ithile. Le propati ilawulwa yintloko yekhaya, nangona iyeyosapho lonke ludibene. Le propati ihlanganisa izinto ethe intloko yekhaya yazifumana njengelifa kwindlu kanina, ezizuze ngokuzisebenzela kunye nomhlaba inkosi ewunike usapho lulonke, hayi indlu ethile. Ipropati yendlu yona yongezeleka kwindlu ethile ngokwendlela yomthetho wesintu, okanye yabelwe loo ndlu ithile yintloko yosapho ukuze isetyenziselwe ukunceda loo ndlu. Le propati iquka imivuzo yamalungu ale ndlu, imfuyo eyabelwe le ndlu nokwanda kwayo, ipropati enikwe inkosikazi ngexesha lomtshato, ilobolo efunyenweyo ngokwenda kweentombi zalapha, imbuyekezo ngokwaphulwa komthetho ngokuchasene namalungu endlu leyo, iimveliso ezize namanye amalungu ale ndlu. Ipropati elungelene nomntu yeyaloo mntu wayifumana ngokunokwakhe, idibanisa izinto ezizezakhe ncakasana, ezinje ngomsimelelo, ibhokisi yecuba, impahla kunye nezihombiso ezinamatye anqabileyo.</p>
<p>Customary marriage - a marriage concluded of in terms of customary law</p>	<p>Gewoontehuwelik - 'n huwelik voltrek in terme van gewoontereg</p>	<p>Umtshato wesintu - Umtshato ekuthi kungenwe kuwo ngokwemigaqo yesintu</p>
<p>Deceased estates – consists of the assets and</p>	<p>Bestorwe boedel- Bestaan uit die bates en laste</p>	<p>Izinto zikamfi ezililifa - Oku kuquka zonke izinto</p>

<p>liabilities of a deceased person at the time of his or her death. The estate therefore consists not only of property, but also of any debts that the deceased incurred before his death. The residue of the estate refers to that part of the deceased 's estate which remains after the payment of funeral expenses, administration costs, tax (if any), the testator's debts, and the legacies</p>	<p>van 'n gestorwe persoon ten tyde van sy/haar dood. Die boedel bestaan derhalwe uit nie alleenlik eiendom nie, maar ook enige skuld wat die oorledene voor sy/haar dood aangegaan het. Die residu van die boedel verwys na daardie deel van die boedel wat oorbly na die aftrek van begrafniskoste, administrasiekostes, belasting (indien enige) en die testateur se skulde en die legate</p>	<p>umfi ebe anazo, namatyala abe nawo ngexesha lokubhubha kwakhe. Konke anako kudibanisa ipropati namatyala ekuthe kanti ebenzeke phambi kokusweleka kwakhe. Intsalela yelifa elishiyekileyo yinto ethi isale emva kokuba zonke iindleko zihlawulwe- ezokungcwaba, iindleko zolawulo-lifa, iirhafu (ukuba zikhona), amatyala kamfi nemiyolelo leyo.</p>
<p>Descendants – common law descendants include the lineal descendents (persons in the downwards line) of the deceased. The customary law concept of descendants generally includes a wider circle of descendants. According to s 1 of the Reform of Customary Law of Succession Act, the following categories of persons qualify as descendants:</p> <ol style="list-style-type: none"> 1. a person who is descendant in terms of the Intestate Succession Act (thus common law descendants) 2. a person who, during the lifetime of the deceased person, was accepted by the deceased person in accordance with customary law as his or her own child 3. a woman who was involved in a substitute marriage or a woman to woman marriage. 	<p>Afstammeling - Gemenereregafstammeling sluit in liniere afstammeling (bloedverwantskap in dalende linie) van die oorledene. Die gewoonteregkonsep van afstammeling sluit in die algemeen 'n wyer kring afstammeling in. Aldus s 1 van die Hervorming van Gewoontereg van die Opvolgingswet, kwalifiseer die volgende persoonskategorieë as afstammeling:</p> <ol style="list-style-type: none"> 1. 'n persoon wat 'n afstammeling is in terme van die Intestate Opvolgingsreg (dus gewoonteregafstammeling). 2. 'n persoon wat gedurende die leeftyd van die oorledene, deur die oorledene in terme van gewoontereg, as sy/haar kind aanvaar is deur die oorledene in terme van die gewoontereg as sy/haar eie kind 3. 'n vrou wat betrokke was by 'n substituutroue of 'n vrou met vrou-huwelik 	<p>Inzala kamfi - Inzala, ngokomthetho ongabhalwanga, iquka inzala kamfi ngokomlibo (abantu ngokomnombo ohlayo). Umthetho ongabhalwanga wenzala kamfi udla ngokubandakanya inzala embaxa. Ngokuka (s 1) Wokuhlaziywa koMthetho Ongabhalwanga woLandelelwano, ezi ndidi zilandelayo zabantu zinokuxhamla njengenzala yalowo ungasekhoyo:</p> <ol style="list-style-type: none"> 1. Umntu ongomnye wenzala ngokoMmiselo woLandelelwano kwiLifa eLingabhalwanga (abe ekulo mnombo womthetho ongabhalwanga). 2. Umntu owayamkelekile kumfi ngexesha esadla amazimba njengomntwana wakhe ngokwalo mthetho ungabhalwanga. 3. Umfazi owayeyinxenye yomtshato engene endaweni yomnye, okanye umtshato womfazi nomnye umfazi.
<p>Dies cedit - the day will come. The time when beneficiary obtains a vested right to claim delivery of bequeathed property unconditionally (whether or not the exercise of this right is delayed until</p>	<p>dies cedit - Die dag sal kom. Die tydstop wanneer 'n begunstigde 'n gevestigde reg bekom om lewering van 'n bemaakte eiendom onvoorwaardelik op te eis (hetsy die uitoefening</p>	<p>Imini ekade ixelwa iya kufika - Umhla uya kufika. Ilixapho umntu onemfanelo aya kuthi azuze ilungelo elimgunyazisayo ukuba abange kwizinto zelifa ngokungaxoxisiyo (enokuba ilungelo lalo</p>

some future date which is certain to arrive)	van die reg verdraag word al dan nie, tot 'n toekomstige datum wat verseker sal kom).	msebenzi liye lathatha ithuba, into eqinisekileyo yeyokuba lona usuku olu lubekiweyo luza kufika, noba kunini).
Dies venit - the day has come. The time at which a beneficiary's right to claim delivery of bequeathed property becomes enforceable or the day when delivery of the property has to take place	dies venit - Die dag het aangebreek. Die tydstip wanneer 'n begunstigde se reg om lewering te eis van bemaakte eiendom van krag word of die dag wanneer lewering van die eiendom moet plaasvind.	Umhla owawuxeliwe ufikile - Usuku lufikile. Ilixa lokunyanzelisa ilungelo lifikile, kulowo unemfanelo yokwenza ibango lokufumana izinto ezililungelo lakhe, okanye imini enyanzelekileyo yokuzuza kwakhe isabelo sakhe ifikile.
Direct substitution - occurs when a testator names a substitute or a series of substitutes who are to inherit if the heir or legatee named to benefit in a will does not inherit. Direct substitution is substitution in the alternative	Direkte substitusie/vervanging - Vind plaas wanneer 'n testateur 'n plaasvervanger of 'n reeks plaasvervangers benoem wat gaan erf as die erfgenaam of legator wat in 'n testament as bevoordeelde benoem is nie erf nie. Direkte vervanging is vervanging in die alternatief.	Ubambelo oluthe ngqo - Olu bambelo lwenzeka xa umfi ethe wazikhethela ibambela okanye amabambela amaninzi aya kuthi adle ilifa lakhe xa lowo unemfanelo ngokomyolelo engalixhamli. Ukubambela okuthe ngqo kukubambela xa kungekho wumbi onemfanelo.
Estate massing - when two or more testators (usually two spouses) mass the whole or parts of their estates into one consolidated economic unit for the purpose of testamentary disposal and the disposal becomes effective upon the death of the first-dying spouse	Boedelsamestelling - Wanneer een of meer testateurs (gewoonlik twee gades) die hele of gedeeltes van hul boedels in een ekonomiese eenheid saamsmelt met die voorneme op testamentêre beskikking en die beskikking van krag word met die afsterwe van die eerssterwende gade	Intlanganisela yelifa - Kuxa ababini okanye ngaphezulu (kuvamise ke kube ngumyeni nenkosikazi yakhe) bahlanganise zonke izinto zabo okanye inxenye yazo ziqiniswe zibe yimbumba eyodwa ngokwezoqoqosho ngenjongo yokwaba ilifa, ndlela leyo ethi isebenze ngethuba lokusweleka komnye kwaba babini.
Execution of a will -the process whereby the testator and other parties comply with all the formalities required to bring a valid will into existence	Verlyding van 'n testament - Die proses waardeur die testateur en ander partye aan al die formaliteite voldoen om 'n geldige testament tot stand te bring	Ukufezekiswa komyolelo - Inkqubo apho umyoleli kunye namanye amaqela athi athobele ngokusesikweni oko kufunekayo ukuze umyolelo uzaliseke ngokomthetho.
Executor - the person who is charged with the administration of a deceased estate; the person who winds up the estate. An executor in a deceased estate is distinguished from a curator of an insolvent estate and from a trustee or administrator of a trust	Eksekuteur - Die persoon in beheer van die administrasie van 'n bestorwe boedel; die persoon wat die boedel afhandel. 'n Eksekuteur in 'n bestorwe boedel word onderskei van 'n kurator van 'n insolvente boedel en van 'n trustee of administrateur van 'n trust	Umntu ojongene nemicimbi yelifa ukuze ayiphethe - Umntu okhethiweyo ukuba ajonge ulawulo lwezinto zalowo ungasekhoyo. Ngumntu oqukumbela izinto zelifa. Umntu olungisa imicimbi yelifa wahlukile kulowo ungumgcini welifa elitshonileyo, ukanti nakulowo ungumphathiswa okanye umlawuli ogcine izinto ngokwelungelo.

Extrinsic evidence - evidence outside the will itself; evidence of facts that do not appear from the will itself	Ekstrinsieke getuienis - Getuienis buite die boedel self; bewysvoering wat nie self in die testament voorkom nie	Ubungqina obungaphandle komyolelo - Ubungqina obungaphandle komyolelo buqu; ubungqina bezibakala ezingaveliyo apha kumyolelo.
Fideicommissary substitution or fideicommissum - occurs where a testator directs that a series of beneficiaries are to own his or her whole estate or part of it, or specific assets one after the other. The first heir is known as the fiduciary and the succeeding beneficiary as the fideicommissary	Fideikommissêre substitusie of fideikommis - Vind plaas waar 'n testateur aandui dat 'n reeks begunstigdes besit moet neem van sy/ haar totale boedel of gedeelte daarvan, of van spesifieke bates een na die ander. Die eerste erfgenaam is bekend as die fidusiêre erfgenaam en die daaropvolgende erfgenaam as die fideikommissêre erfgenaam	Isekela/ ibambela - Oku kwenzeka xa lowo uyolelayo ethe wanikeza ilifa lakhe okanye inxenywe yalo kuluhlu lweendlalifa, okanye izinto ezithile anazo enye emva kwenye. Indlalifa yokuqala kolu luhlu yaziwa ngokuba ngumphathiswa (fiduciary), ize elandelayo yaziwe ngokuba lisekela-mphathiswa (fideicommissary).
Fideicommissum residui - where property is left to a fiduciary subject to the condition that as much of it as may be left at the time of his or her death is to devolve upon another person (the fideicommissary)	fideikommis van die oorskot - Waar eiendom gelaat word vir 'n fidusiêre erfgenaam onderworpe aan die voorwaarde dat soveel as wat oorbly ten tyde van sy/haar afsterwe moet afwentel na 'n ander persoon (die fideikommissêre erfgenaam)	Udluliso-lifa eliyintsalela - Apho izinto zithe zashiywa kwinkulu yokuqala ngokwemeko ethi xa inokubhubha oko kuseleyo kudluliselwe kwinkulu elandelayo.
Formalities - the formal legal requirements with which a will must comply to be valid	Formaliteite - Die formele wetlike vereistes waaraan 'n testament moet voldoen om geldig te wees	Ukugqala ngokusesikweni - Iimfuno zomthetho ngokusesikweni ekufuneka zivumelene nomyolelo ukuze wamkeleke ngokusemthethweni
Freedom of testation – the freedom of a person to dispose of his or her estate as he or she pleases	Vryheid van bemaking - Die vryheid van 'n persoon om sy/haar boedel te bemaak soos dit hom/haar behaag	Inkululeko yokwaba ilifa - Inkululeko yomntu yokwaba ilifa lakhe ngohlobo athanda ngalo
Heir – a beneficiary who inherits a testator's entire estate, a portion thereof, or the residue thereof. An heir is distinguished from a legatee, who is a beneficiary who inherits a specific asset. See also legatee	Erfgenaam - 'n begunstigde wat 'n testateur se hele boedel erf, of 'n gedeelte daarvan, of die oorskot daarvan. 'n Erfgenaam word onderskei van 'n legataris wat 'n begunstigde is wat 'n spesifieke bate erf. Sien ook legataris	Inkulu/ indlalifa - Umntu onelungelo lokuzuza kwilifa lonke lomyoleli okanye inxenywe yalo okanye intsalela yalo. Indlalifa iyahluka kulowo ungumamkeli wesipho esishiywe ngumfi, yena afumana izinto ezithile (jonga kwakhona phantsi komamkeli-lifa lezinto ezithile)
Inter vivos – between the living	Inter vivos - Tussen lewendes	Inter vivos - Phakathi kwabaphilayo
Intestate law of succession or succession ab intestate – the legal rules or legal norms that	Intestate erfopvolging - Die regsreëls of regsnorme wat bepaal hoedanig opvolging moet	Umthetho wolandelelwano malunga nomyolelo ongenziwanga - Imigaqo yomthetho ebonakalisa

determine how succession should take place in cases where a testator fails to regulate succession on death by way of a valid will or a <i>pactum successorium</i> contained in an antenuptial contract	plaasvind in gevalle waar 'n testateur nalaat om opvolging met dood te reguleer deur middel van 'n geldige testament of 'n <i>pactum successorium</i> vervat in 'n voorhuwelikse kontrak	okokuba ulandelelwano lwakwenzeka xa umfi ethe wasilela ukucwangcisa umyolelo ekuswelekeni kwakhe ngokwasemthethweni womyolelo oqulethwe kwisivumelwano somtshato
Joint will – where two or more testators have set out their respective wills in the same document. Such a will differs from a mutual will in that the parties do not necessarily appoint each other as beneficiaries	Gesamentlike testament - Waar twee of meer testateurs hulle respektiewelike testament in een dokument uiteensit. So 'n testament verskil van 'n wederkerige testament daarin dat die partye nie noodwendig mekaar as begunstigdes aanstel nie	Umyolelo wababini-bathathu ohlanganisiweyo - Xa abayoleli ababini okanye nangaphezulu bethe babhala umyolelo womntu nomntu kwixwebhu elinye. Lo myolelo unjalo uyahluka kumyolelo wababini ohlanganisiweyo nomnye, ngokohlobo lokuba la maqela awanyanzelekanga ukuba anyulane njengabaza kuxhamla kweli lifa.
Juristic act – An act that is intended to create or alter rights and obligations; an act to which the law attaches at least some of the consequences envisaged by the acting party or parties. Such an act may be multilateral, in other words, an act performed through the cooperation of two or more persons, for example to conclude a contract, or unilateral, in other words, an act performed by one person, for example the making of a will	Regshandeling - 'n handeling wat ten doel het om regte en verpligtinge te skep of te verander, 'n handeling waaraan die reg ten minste sommige van die voorsiene gevolge koppel aan die handelende party of partye. Sodanige handeling kan multilateraal wees, met ander woorde, 'n handeling uitgevoer deur die samewerking van twee of meer persone, byvoorbeeld die voltrekking van 'n kontrak, of unilateraal, met ander woorde, 'n handeling uitgevoer deur 'n enkeling, byvoorbeeld die opstel van 'n testament	Ummiselo ngobungcaphephe bomthetho - Umthetho ojongene nokudala okanye ukutshintsha amalungelo neemfanelo; ummiselo othi umthetho unamathisele oko ekucingeleka ukuba kungakho kwinxenye yoko kuya kulandela, ngokubona komntu okanye abantu ababambeleyo; lo mmiselo ungambaxa, nto ke leyo ethi wenziwe ngokubambisana kwabantu ababini nangaphezulu, umzekelo: ukuphethwa kwesivumelwano umntu eyedwa, oko kukuthi, ummiselo owenziwa ngumntu omnye, njengokwenziwa komyolelo.
Law of succession – comprises legal rules that control the transfer of those assets of a deceased that are eligible for distribution to beneficiaries, or those assets of another person over which the deceased has the power of disposal	Erfreg - Behels regsreëls wat die oordra kontroleer van daardie bates van die oorledene wat geskik is vir distribusie aan begunstigdes, of daardie bates van 'n ander persoon oor wie die oorledene mag van beskikking het.	Umthetho wolandelelwano - Uhlanganisa imigaqo yomthetho elawula ukudluliselwa kwezo zinto ebenazo ongasekhoyo ezimelwe ukwabelwa abo banelungelo loko, okanye ezo zinto zomnye umntu athe umfi wanamandla okuzichitha-chitha.
Legatee – a person who inherits a specific asset or a specific amount of money from a testator. The inheritance is known as a legacy (plural: legacies)	Legataris - 'n persoon wat 'n spesifieke bate erf of 'n spesifieke hoeveelheid geld van 'n testateur (erflater). So 'n erflating staan bekend as 'n legaat (meervoud: legate)	Umamkeli wesipho esishiywe Kumyolelo - Umntu ofumana ilifa kumyoleli kwizinto ezithile okanye kwisixa-mali esithile. Eli lifa laziwa njengento eya kuhlala isisikhumbuzo

		(isininzi: izikhumbuzo)
Living customary law – the actual version of customary law as applied by the people living under a system of customary law which may differ from the official version. See also official customary law.	Bestaansgewoontereg - Die werklike weergawe van gewoontereg soos toegepas deur die persone wat onder 'n stelsel van gewoontereg lewe wat mag verskil van die amptelike weergawe. Sien ook amptelike gewoontereg (Eng. Official customary law)	Uqobo lomthetho wesintu - Uqobo lomthetho wesintu ngokusetyenziswa ngabantu abahlala ngokwemo yalo mthetho ethi yahluke kuleyo yaseburhulumenteni. Jonga kwakhona umthetho ngokwesiko ngokukarhulumente)
Lobolo – The property in cash or kind that a prospective husband or the head of his family undertakes to give to the head of the prospective wife's family in consideration of a customary marriage.	Lobola - Eiendom in kontant of goedere wat 'n aanstaande gade of hoof van sy familie onderneem om te gee aan die hoof van die aanstaande bruid se familie in oorweging van 'n gewoontehuwelik	Ikhazi (ilobola) - Izinto ezithi zikhutshwe ngokwemali okanye ngokwempahla (iinkomo) ngulowo uza kuba ngumyeni okanye intloko yekhaya ezinika intloko yosapho lwalowo uza kuba yinkosikazi yakhe, kujongwe kumtshato wesintu.
Male primogeniture – Under customary law the heirs of the deceased are usually male and are identified by their relationship to the deceased through the male line. The firstborn son in a monogamous household is normally the deceased's heir; in a polygynous household, it is normally the firstborn son of the main house. In the absence of a firstborn son or his descendant, succession passes to the second son or his descendants, and keeps on passing to the male descendants until one is found. If the deceased had no male descendants, his father will be the heir. If the father is already deceased, the deceased's eldest brother will be next in line. Failing him, his male descendants in order of seniority will succeed, and so the order continues to the other brothers, then the grand father, paternal uncles, or their descendants in order of seniority and keeps passing on until a male heir in the specific line is found.	Manlike eersgeboortereg - Onder gewoontereg is die erfgename van die oorledene gewoonlik manlik en word geken aan hul verwantskap met die oorledene se manlike linie. Die eersgeborene in 'n monogame huishouding is normaalweg die oorledene se erfgenaam; in 'n poligame huishouding is dit normaalweg die eersgebore seun van die hoofhuishouding. In die afwesigheid van 'n eersgebore seun of sy afstammeling gaan opvolging oor na die tweede seun of sy afstammeling, en gaan so voort deur die manlike afstammeling totdat een gevind word. As die oorledene geen manlike afstammeling gehad het nie, word sy vader die erfgenaam. As die vader reeds oorlede is, sal die oorledene se oudste broer volgende in lyn wees. By gebrek aan hom gaan die opvolging oor na die manlike afstammeling in volgorde van senioriteit, en so hou die volgorde aan tot by die ander broers, dan die oupa, vaderlike (paternale) ooms, of hul	Ukuzibula ngobuduna/ ngokobudoda - Phantsi komthetho wesintu, iindlalifa zikamfi zivamise ukuba ngamadoda, yaye zichongwa ngokuzalana kwazo nomfi ngokomnombo wamadoda ekhaya. Unyana omkhulu kumtshato wendoda enkosikazi inye iye ibe nguye indlalifa; kumtshato wendoda enabafazi abaninzi iye ibe ngunyana omkhulu wendlu enkulu. Xa kuthe akwabikho nyana mkhulu nanzala yakhe na kakade kule ndlu, ulandelelwano luye luwele kunyana wesibini okanye inzala yakhe, kuqhubekeke njalo oku kudluliselwa kwinzala yesini sesiduna de kubekho ofumanekayo. Xa umfi engenanyana, uyise iba nguye othatha indawo njengendlalifa. Xa kanti noyise lowo akasekho, umkhuluwa kamfi nguye othi axhamle njengolandelayo. Xa umkhuluwa engekho kuthathwa kwinzala yakhe umkhuluwa ngokobukhulu bokuzalwa ibe nguye oxhamlayo, iqhube ke kanjalo ukuya kutsho kwabanye abaninawa, ibe nguyisemkhulu, ooyisekazi okanye

	afstammeling in volgorde van senioriteit en hou so aan totdat 'n manlike erfgenaam in die spesifieke linie gevind word	inzala yabo ngokomnombo wobukhulu ngokuzalwa, iqhube ke kanjalo de oyena-yena kulo mlibo afumaneke.
Modus or obligation – A qualification added to a gift or testamentary disposition, whereby the beneficiary is required to devote the property received (or the value thereof) in whole or in part to a specific purpose.	lasbepaling of verpligting – 'n kwalifikasie wat gekoppel word aan 'n geskenk of testamentêre beskikking waar daar van die begunstigde vereis word om die ontvangde eiendom (of die waarde daarvan) in geheel of gedeeltelik te bestee aan 'n spesifieke doel	Amandla omthetho anyanzelisayo - Imfanelo eyongezwa kwisipho okanye intlelo ngokomyolelo, ekuthi lowo uchongiweyo ukuba asifumane kufuneke enikele izinto azifumeneyo (okanye ixabiso lazo) ziphelele okanye inxenye yazo ngokwenjongo ethile.
Mortis causa – in contemplation of death	Mortis causa - Met die oog op die dood	Ukucinga ngokufa - Ukucinga ngokufa
Mutual will –Where two or more testators draw up a joint will and confer benefits on each other in the same will	Wederkerige testament - Waar twee of meer testateurs 'n gesamentlike testament opstel en voordele aan mekaar in dieselfde testament toebedeel	Umyolelo odityanisiweyo - Abayoleli ababini nangaphezulu abathi babhale umyolelo wabo ngokuhlangeneyo, babe sele benikana amaqithi-qithi alo myolelo mnye, omnye komnye
Official customary law – the version of customary law as applied by the courts and entrenched in legislation	Amptelike gewoontereg - Die weergawe van gewoontereg soos deur die howe toegepas word in ingeburgerde wetgewing	Umthetho wesintu ngokwase- burhulumenteni - Uhlobo lomthetho wesintu ngokusetyenziswa ziinkundla zomthetho ize ibetheleleke kuwiso-mthetho.
Polygyny and polygynous - polygyny is a form of polygamy where a man has more than one wife	Poliginie en veelwywig - Poliginie is 'n tipe poligamie waar 'n man meer as een vrou het	Isithembu okanye onesithembu - Uhlobo lwesithembu apho indoda ibafazi-fazi.
Posthumous – Something that occurs or continues after someone's death. For example a posthumous child means a child born after the death of the father of the child.	Posthuum - iets wat gebeur of voortduur na 'n persoon se dood. Byvoorbeeld 'n posthume kind is 'n kind wat gebore is na die dood van die vader van die kind	Ozelwe/ eyenzeka emva kokufa - Into eyenzeka emva kokufa komntu, umzekelo womntwana onjalo ngozelwe emveni kokuba uyise eswelekile.
Power of appointment – the power to appoint certain beneficiaries as heirs or legatees given to someone else by the testator	Aanstellingsmagtiging - Die magtiging om sekere begunstigdes aan te stel as erfgenaam of legatarisse wat gegee word deur die testateur aan iemand anders	Amandla okunyula - Amandla okunyula abanye babo baza kuxhamla kwilifa njengeendlalifa okanye oomamkeli besipho esishiywe ngokomyolelo, mandla lawo anikwe umntu ongomnye ngumyoleli
Prodigal – a spendthrift; someone who is	Verkwister - 'n verspiller; iemand wat gekenmerk	Onenkitho - odyakrazayo; umntu osimo sakhe

characterised by excessive or imprudent spending	word deur onoordeelkundige en oordadige spandabelrigheid	sibonakala ngenkcitho egqithileyo nengenabulumko
Quid pro quo – something for something; mutual consideration	Quid pro quo - iets vir iets; wedersydse inagneming	Ina ethe - Ina ethe; ubonelelwano
Quitrent land –the owner of land held under a quitrent title does not have full ownership of the land but only the right to loan the property from the government for a certain period of time and against payment of a certain amount of money	Erfpag - Die eienaar van grond onder erfpagtitel het nie volle eienaarskap van die grond nie, maar slegs die reg om die eiendom van die regering vir 'n sekere tydperk te leen teen 'n sekere betaling	Umlaba oqeshisayo/ Inkomo yenqoma - Umnini -mhlaba ophantsi kwetayitile yoqeshiso-mhlaba akanabumnini buzeleyo bomhlaba, kodwa unelungelo nje lokuwuboleka umhlaba karhulumente okwexeshana elithile, kukho intlawulo ethile ayenzayo.
Rectification – takes place when a court adds, deletes or changes something in a will because testator made a mistake when making the will and the will does not reflect his or her intention correctly	Korrigering - Vind plaas wanneer 'n hof iets byvoeg, skrap of verander in 'n testament omdat die testateur 'n fout began het met die opstel van die testament en die testament nie sy/haar bedoeling korrek reflekteer nie	Ukulungisa/ ukulungiswa - Kwenzeka xa inkundla yomthetho isongeza, icima okanye itshintsha into kumyolelo ngenxa yokuba umyoleli ethe wenza impazamo xenikweni esenza umyolelo, myolelo lowo ungayicacisiyo injongo yakhe kakuhle.
Repudiation – the rejection of a benefit or refusal to inherit a benefit from the estate of a testator	Repudiasie - Die verwerping van 'n bevoordeling of weiering om 'n bevoordeling van 'n boedel van 'n testateur te erf	Ulandulo - Ukwaliwa koncedo okanye ulandulo lokufumana izinto zikamfi njengelifa
Resolutive (terminative) condition – a bequest is subject to a resolutive condition when the bequest is made to terminate if a particular uncertain future event takes place	Ontbindende (beëindigende) voorwaarde - 'n bemaking is onderworpe aan 'n ontbindende voorwaarde wanneer die bemaking verstreke gemaak word as 'n bepaalde onsekere toekomstige gebeurtenis plaasvind	Imeko yotshitshiso-myolelo - Umyolelo uphantsi kwemeko yocombululo xa kuthe ekwenziweni kwawo kwafuneka utshitshisiwe ngenxa yesiganeko esithile esingasuka sehle kwixa elizayo, ekungaqinisekwanga ngaso.
Resolutive (terminative) time clause or resolutive term – a bequest subject to a terminative (resolutive) time clause is one in which beneficiary's rights are terminated when a certain time arrives	Ontbindende tydbepalingsklousule of ontbindende termynbepaling - 'n bemaking onderworpe aan 'n verstrykings- of ontbindende tydsbepaling is sodanige een waarin die begunstigde se regte tot 'n einde kom wanneer 'n sekere tyd bereik word	Inqaku elimisela ixesha elingagungqiyo - ilifa elilawulwa lixesha elithile apho amalungelo endlalifa aphelelwayo xa kufike ixesha elithile.
Si sine liberis decesserit clause – a clause that stipulates that if a beneficiary dies without children after the testator, the benefit must pass a third party	si sine liberis decesserit-klousule - 'n klousule wat stipuleer dat sou 'n begunstigde sonder kinders sterf na die testateur, die voordeel oorgedra moet word aan 'n derde party	Inqaku elichaza ngokufa kolilungelo - Inqaku elichaza ngokuthe gca okokuba umntu onelungelo othe wasweleka engenabantwana emva kwalowo ungumyoleli, ilungelo ebeliza kuza kuye

		malidluliselwe kumntu ongomnye ngaphandle kwalowo ubebhaliwe.
Spes – hope or expectation	Spes - Hoop of verwagting	Ithemba – okunqwenelekayo
Stipulatio alteri – a contract in favour of a third person	Stipulatio alteri - ‘n kontrak ten gunste van ‘n derde persoon	Utshintsho-myolelo - Isivumelwano sesisa kumntu wesithathu
Stipulation or provision – general terms used for clauses in a will where testator has made his or her intentions known	Stipulasie of voorsiening - Algemene terme wat gebruik word vir klousules in ‘n testament waar die testateur sy/haar bedoelinge bekend maak	Ingcaciso okanye ulungiselelo - Amagama asetyenziswa ngokuthe gabalala kumanqaku omyolelo apho lowo uyolelayo athe wazicacisa mhlophe iinjongo zakhe
Stirps or stirpes – a line of descendants of common ancestry	Stam of familietak - ‘n afstammingslinie van gemeenskaplike voorouers	Umnombo - Uluhlu lomnombo womlibo
Substitution – occurs when a testator appoints a beneficiary to inherit a benefit and, at the same time, appoints another beneficiary to take the place of the first-mentioned beneficiary. Substitution may take place either in the alternative (direct substitution) or one beneficiary after another (fideicommissary substitution). See also direct substitution and fideicommissary substitution	Plaasvervanging of substitusie - Vind plaas wanneer ‘n testateur ‘n begunstigde aanstel om ‘n voordeel te erf en terselfdertyd ‘n ander begunstigde aanstel om die plek te neem van die eersgenoemde begunstigde. Substitusie mag plaasvind of in die alternatiewe (direkte substitusie) of in opeenvolging van begunstigdes (fideikommissêre substitusie). Sien ook in Engels: direct substitution en fideicommissary substitution	Ukusetyenziswa kwento endaweni yenye/ uvalo-sikhewu - Oku kwenzeka xa umyoleli esonyula onelungelo okokuba azuze kwilifa lakhe, ze xesha nye akhethe omnye okwanelungelo okokuba angene endaweni yalowa ebemkhethe kuqala. Uvalo-sikhewu lunokwenzeka ngokuthe ngqo okanye ngokonelungelo, omnye emva komnye (ibambela/ isekela). Jonga ubambelo oluthe ngqo kunye nolo lokusekela.
Succession to status – in the customary law of succession, the successor steps into the shoes of the deceased and gains control over the property and people that the deceased controlled. In other words, the successor succeeds to the status of the deceased as well as to both the assets and liabilities of the estate	Opeenvolging na status - In gewoontereg opeenvolging stap die opvolger in die spoor van die oorledene en verkry beheer oor die eiendom en mense wat die oorledene beheer het. Met ander woorde, die opvolger volg op na die status van die oorledene sowel as wat betref bates en laste van die boedel	Ulandelelwano ngokwewonga - Ngokomthetho wesintu ngokolandelelwano, lowo ulandelayo ungena ezihlangwini zalowo uthe wasweleka, athabathe ulawulo lwezinto nabantu bebe phantsi kolawulo lukamfi. Ngamanye amazwi, uthabatha olu lawulo ekwenza oku ngokwewonga lalowo ungasekhoyo edibanisa nezinto zakhe namatyala athe akahlawuleka.
Survivor or surviving spouse – the spouse who is still alive after the death of his or her spouse. In terms of the common law, the term ‘spouse’	Langlewende of langselewende gade - Die gade wat nog lewe na die afsterwe van sy/haar gade. In terme van gemenerereg verwys die term ‘gade’	Oshiyekileyo okanye umlingane oshiyekileyo emva kokusweleka komnye – Umlingane osasele emva kokusweleka komnye. Ngokomthetho

<p>normally refers to someone with whom the deceased had a valid civil marriage. However, in modern South African law, the following categories qualify as surviving spouses:</p> <ol style="list-style-type: none"> 1. a spouse in a marriage in terms of South African law, namely a marriage concluded under the Marriage Act, the Recognition of Customary Marriages Act or Civil Union Act 2. a spouse in a customary marriage that does not fall within the ambit of the Recognition of Customary Marriage Act 3. a spouse in a marriage concluded in accordance with a system of Muslim or Hindu law. <p>Special circumstances exist in the case of customary marriages, especially in the context of succession. Section 2 of the Reform of Customary Law of Succession Act recognises two additional categories of spouses, namely a woman with whom the deceased entered into a union in accordance with customary law with the purpose of providing children for the spouse's house (substitute marriage), and any woman who was married to a deceased woman under customary law for the purpose of providing children for the house of the deceased (woman to woman marriages)</p>	<p>normaalweg na 'n persoon met wie die oorledene 'n geldige siviele huwelik gehad het. Desnieteenstaande, in moderne Suid-Afrikaanse reg kwalifiseer die volgende kategorieë as langselewende gades:</p> <ol style="list-style-type: none"> 1. 'n gade in 'n huwelik in terme van die Suid-Afrikaanse reg, naamlik 'n huwelik voltrek onder die Huwelikswet, die Erkenning van Gewoontehuwelike Wet of die Burgerlike Eenwordingswet 2. 'n gade in 'n gewoontehuwelik wat nie binne die bestek val van die Erkenning van die Gewoontehuwelik Wet nie 3. 'n gade in 'n huwelik voltrek binne 'n sisteem van Moslem- of Hindoereg <p>Spesiale omstandighede bestaan in die geval van gewoontehuwelike, veral in die konteks van opeenvolging. Afdeling 2 van die Hervorming van Gewoontereg van Opeenvolging-Wet gee erkenning aan twee addisionele kategorieë gades, naamlik 'n vrou met wie die oorledene in 'n eenwording tree in ooreenstemming met gewoontereg met die doel om kinders te verskaf vir die gade se huis (plaasvervangende huwelike), en enige vrou wat onder die gewoontereg getroud was met 'n gestorwe vrou vir die verskaffing van kinders vir die huis van die oorledene (vrou-met-vrou-huwelike)</p>	<p>ontsusa yawo isesintwini kodwa onokugweba ngokwesigqibo somthetho lowo ngokubhekisele kwinto ebikhe yenzeka ngaphambili, eli gama lithi 'umyeni' okanye 'inkosikazi' liye libhekiswe kumntu lowo omnye ebetshate naye ngokwasemthethweni woburhulumente. Kodwa ke ngokomthetho wezimini woMzantsi Afrika, ezi ndidi zilandelayo zikulungele ukubandakanyeka njengabalingane abasaphilayo:</p> <ol style="list-style-type: none"> 1. Umlingane emtshatweni ngokomthetho weLizwe onje ngomtshato ogqitywe phantsi koMmiselo woMtshato, okanye uMmiselo woKwamkeleka kweMitshato ngokweSintu, okanye uMmiselo woManyano ngokwasebuRhulumenteni. 2. Umlingane kumtshato wesintu owela ngaphandle komda woMmiselo woKwamkeleka kweMitshato. 3. Umlingane emtshatweni ogqitywe ngokwendlela yomthetho wamaSilamsi namaHindu. <p>limeko ezithile ziyaqatshelwa kwimitshato yesintu, ingakumbi kwimeko yolandelelwano. Icandelo lesiBini (2) loMmiselo woHlaziyo loMthetho weSintu woLandelelwano liyazamkela ezi ndidi zimbini zabalingane, ezinjengezi : inkosikazi ethe yatshatwa ngumfi ngomthetho wesintu ngenjongo yokubonelela abantwana ngendlu yomlingane wakhe (umtshato wobambelo), kunye nawuphi na umfazi owayetshatele kumfazi owaswelekayo phantsi komthetho wesintu ngenjongo yokubonelela abantwana ngendlu yomlingane wakhe(imitshato</p>
---	---	---

		yomfazi nomnye umfazi).
Suspensive condition – if a bequest is made subject to a suspensive condition, the beneficiary does not obtain a vested, finally established right to the benefit unless and until a particular uncertain future event takes place	Opskortende voorwaarde - As 'n bemaking gemaak word onderhewig aan 'n opskortende voorwaarde ontvang die begunstigde nie 'n beklede persoonlike belang, gevestigde reg op die voordeel nie behalwe en totdat 'n besondere onsekere toekomstige gebeurtenis plaasvind	Imeko yamandla okuxhoma umcimbi okanye ukuwubhekisela kude - Ukuba ilifa linikezelwa ngokwemeko yamandla okulixhoma, onelungelo akalifumani ilungelo lokulizuza eliyimfanelo ngokugqibeleleyo, ngaphandle kokuba, okanye de isiganeko esithile esingathi sehle, phofu esingaqinisekanga sibe siyenzeka
Suspensive time clause or suspensive term – a bequest to a suspensive time clause is a bequest from which the beneficiary will receive the benefit only at a certain future time.	Opskortende tydsbetaling of opskortende bepaling (termyn) - 'n bemaking onderworpe aan 'n opskortende tydsbepaling is 'n bemaking waarvan die begunstigde slegs die voordeel ontvang met die aanbreek van 'n sekere toekomstige tyd.	Inqaku lokuxhoma ngokwexesha elithile - Ilifa elihambelana nenqaku ngoxhomo lwexesha lilifa apho lowo unelungelo aya kufumana okungqamene naye ngexesha elizayo kuphela, eliqinisekileyo.
Testamentary capacity – capacity to make a will. Every person aged 16 years or more may make a will unless at the time of making the will, he or she is mentally incapable of appreciating the nature and effect of the act. This capacity must be distinguished from capacity to act. See also capacity to act.	Testamentêre bevoegdheid - Bevoegdheid om 'n testament te maak. Elke persoon, 16 jaar of ouer, mag 'n testament maak behalwe as hy/sy ten tyde van die maak van die testament nie verstandelik bevoeg was om die aard en effek van die handeling na waarde te oordeel nie. Sien ook Engels: capacity to act	Amandla ngokomyolelo - Ubunganga bokwenza umyolelo. Wonke umntu ominyaka ilishumi elinesithandathu (16) nangaphezulu angawenza umyolelo, ngaphandle kokuba ngexesha awenza ngalo umyolelo akanayo ingqiqo yokuxabisa uhlobo nesiphumo sommiselo. Obu bunganga buyahluka kobo begunya lokwenza ngokomthetho . Jonga kwigunya lokwenza ngokomthetho
Testamnetary writing – a document that defines anyone of the three essential elements of a bequest: (a) the property bequeathed ; (b) the extent of the interest bequeathed; or (c)the beneficiary	Testamentêre geskrif /(skrif) - 'n dokument wat enige een van die drie essensiële elemente van 'n bemaking definieer: (a) die bemaakte eiendom; (b) die omvang van die belang wat bemaak is; of (c) die begunstigde	Umbhalo ngokomyolelo - Uxwebhu oluchaza okokuba nayo nayiphi na enye yezi zimo zintathu zilandelayo zingundoqo kumyolelo: (a) izinto (umhlaba) ezinikezelweyo; (b) ubukhulu benzala enikezelweyo; (c) umntu onelungelo lokuxhamla
Testate law of succession or successio ex testamento - comprises those legal rules or	Testatereg van opvolgning - Behels daardie regsreëls en –norme wat die afwenteling van 'n	Umthetho wolandelelwano ngokomyolelo - Uquka loo migaqo nezithethe zomthetho

norms that regulate the devolution of a deceased person's estate upon one or more persons according to the testator's wishes as expressed in a will	gestorwene se boedel open en of meer persone reguleer in ooreenstemming met die testateur se wense soos vervat in 'n testament	ezilawula ukunikezelwa kwegunya lelifa lalowo ungasekhoyo kumntu omnye, okanye abantu ngokweminqweno yomyoleli echazwe kumyolelo.
Testator – a natural person who makes a will in which he or she bequeaths an estate in the form of bequeathable assets	Testateur- 'n natuurlike persoon wat 'n testament maak waarin hy/sy 'n boedel bemaak in die vorm van bemaakbare bates	Umyoleli - Uqobo lomntu owenza umyolelo apho anikezela izinto zakhe eziluhlobo lwezinto ezifanelwe ukunikezwa.
Trust – the arrangement through which the property of a person is by virtue of a trust instrument bequeathed: (a) to another person, the trustee, in whole or in part, to be administered or disposed of according to the provisions of the trust instrument for the benefit of the person or class of persons designated in the trust instrument or for the achievement of the object stated in the trust instrument; or (b) to the beneficiaries designated in the trust instrument, which property is placed under the control of another person, the trustee to be administered or disposed of according to the provisions of the trust instrument to the benefit of the person or class of persons designated in the trust instrument or for the achievement of the object stated in the trust instrument, but does not include the case where the property of another is to be administered by any person as executor, tutor or curator in terms of the provisions of the Administration of Estate Act. In other words, in a trust the testator entrusts the ownership and control of his or her property to a third party (the trustee) to manage the property in the interest of a beneficiary/ies	Trust- Die reëling waardeur die eiendom van 'n persoon van 'n trustinstrument bemaak word: (a) aan 'n ander persoon, die trustee, in geheel of gedeeltes, om geadministreer te word of van die hand gesit te word in ooreenstemming met die trustinstrument tot voordeel van die persoon of klas persone aangewys in die trustinstrument of vir die bereiking van die doelstelling soos in die trustinstrument vermeld; of (b) aan die begunstigdes vermeld in die trustinstrument, watter eiendom geplaas word onder die beheer van 'n ander persoon, die trustee, om geadministreer of van die hand gesit te word in ooreenstemming met die voorsiening van die trustinstrument tot bevoordeling van die persoon of klas persone aangewys in die trustinstrument of vir die bereiking van die doelstelling vermeld in die trustinstrument, maar nie die geval insluit nie waar die eiendom van 'n ander geadministreer sal word deur enige persoon as eksekuteur, voog of kurator in terme van die voorsiening van die Administrasie van Boedels -Wet. Met ander woorde, in 'n trust word die eienaarskap en beheer van /haar eiendom toevertrou aan 'n derde party (die trustee) om die eiendom te bestuur in die belang van 'n begunstigde(s)	Ilungelo ngokuthembeki leyo - Isigqibo kuxwebhu-mbhalo lomyolelo apho izinto zomntu zithi zigqithiselwe: (a) komnye umntu, umphathiswa, ngokugcweleyo okanye ngokuyinxenye, ukuze zilawulwe okanye zichithwe ngokwemigaqo yesigqibo esibhaliweyo ukuze kuzuze umntu okanye udidi lwabantu abalathelwe oko ngokwegunya elibhaliweyo, okanye ukuphumeza injongo echazwe kuxwebhu lwelungelo lokugcinela omnye umntu into yakhe; okanye abantu abanelungelo abathe banyulwa ngokweli gunya; (b) abo banelungelo abathe bakhethwa ngokomyalelo wenkundla yomthetho ukuba bazuze izinto zikamfi, zinto ezo ezithi zibekwe phantsi kolawulo lomnye umntu onikwe amandla okuzilawula ngokunyanzelwa ngumthetho, zilawulwe okanye zichithwe ngokwemigaqo yolu gunyaziso lubhaliweyo, ukuze kufumane umntu okanye udidi lwabantu abanyulelwe oko ngokweli gunya, okanye ukuphumeza injongo exwaywe lolu xwebhu. Itsho ke le nto ingayisi so imeko apho ilifa lomnye umntu lingalawulwa nguye noba ngubani ozenza umlungisi-micimbi yelifa nomphethi wayo, umlawuli okanye umgcini ngokwemiqathango yoMmiselo yoLawulo

		Lwezinto zeLifa. Ngamanye amazwi, ngokweli lungelo nangokomthetho, umyoleli unikeza ethembile okokuba ubumnini nolawulo lwezinto zakhe kulowo ungumlungisi-micimbi yelifa nokwangumphethi wayo zakuphatheka ngohlobo olulungiselela iindlalifa.
Trust instrument – a written agreement, a testamentary writing, or a court order in terms of which a trust is created	Trust instrument- ‘n geskrewe ooreenkoms, ‘n testamentêre geskrif, of ‘n hofbevel in terme waarvan ‘n trust geskep kan word	Uxwebhu-mbhalo lomyolelo - Isivumelwano esibhaliweyo, uxwebhu-mbhalo lomyolelo, okanye umyalelo wenkudla yomthetho apho kuthi kudalwe ilungelo lokugcinisa omnye umntu izinto ezikumyolelo kamfi.
Usufruct, usufructus or life interest – occurs when ownership is bequeathed to one person but the right to use, enjoy and take the fruits of the property bequeathed to another. The latter is called the usufructuary and the owner is called the dominus, remainderman or nude owner	Vruggebruik of lewensreg (lewenslange vruggebruik) - Vind plaas wanneer eienaarskap bemaak word aan een persoon maar ‘n ander het die reg om dit te gebruik, te geniet en die vrugte te pluk van die eiendom wat aan ‘n ander bemaak is. Laasgenoemde word die vruggebruiker genoem en die eenaar word die <i>dominus</i> , fideicommissarius of blote eenaar genoem	Indlalifa yoqobo - Oku kuthi kwenzeka xa ubumnini bezinto zikamfi budluliselwa kumntu omnye, kodwa ilungelo lokuzisebenzisa, ukuxhamla kuzo nokuzuza amaqithiqithi ezi zinto linikwe mntu wumbi. Loke umntu uxhamlayo ubizwa ngokuba ngumxhamli, indlalifa yoqobo (usufructory), ize umnini yena aziwe ngokuba ngumgcini-lifa / umbambi-liwa (<i>dominus</i>)
Vest –to confer legal ownership of property or legal rights on someone	oorgee, bekleer met om wettige eienaarskap van eiendom of wettige regte aan iemand oor te gee of iemand daarmee te bekleer	Udluliso-malungelo - Ukunikeza ubumnini bezinto zikamfi okanye amalungelo emntwini ngokomthetho.
Will or testament – a unilateral, voluntary juristic act contained in a document which complies with formalities required by law, and in which the testator gives instructions pertaining to what must happen to his or her estate after his or her death	uiterste wil of testament - ‘n eensydige, vrywillige regshandeling vervat in ‘n dokument wat voldoen aan die formaliteite wat deur die reg vereis word, en waarin die testateur instruksies gee wat betrekking het op wat moet plaasvind met sy/haar boedel na sy/haar afsterwe	Umyolelo - Umbhalo owenziwa ngumntu eyedwa ngohlobo athanda ngalo ngokwasemthethweni oqulethwe kuxwebhu oluhambelana nezithethe ezifunwa ngumthetho, apho lowo uyolelayo anika imiyalelo engqamene nomakwenzeke ngelifa lakhe akungabikho emhlabeni.

