

ADMINISTRATION OF SMALL ESTATES ACT

CHAPTER 9:06

Act
26 of 1958
Amended by
1 of 1973
20 of 1978
19 of 1981

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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

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ADMINISTRATION OF SMALL ESTATES ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
 2. Interpretation.
 3. Application for grant of letters of administration.
 4. Grant of probate.
 5. Duties and powers of Registrar.
 6. Investigation and report by Registrar.
 7. Special fee for grant.
 8. Offence.
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CHAPTER 9:06

ADMINISTRATION OF SMALL ESTATES ACT

1961 Ed.
Cap. 210.
26 of 1958.

AN ACT to make special provision for the grant of letters of administration and probate of wills of small estates and for the remission of certain duties and fees in connection therewith.

Commencement.

[1st January 1959]

Short title.

1. This Act may be cited as the –
ADMINISTRATION OF SMALL ESTATES ACT.

Interpretation.
[19 of 1981].

2. In this Act –

“letters of administration” comprehends all letters of administration of the estate of deceased persons whether with or without the will annexed and whether granted for general, special or limited purposes;

“small estate” means all the property, real and personal, of a deceased person which does not exceed five thousand dollars in value.

Application for
grant of letters of
administration.

3. (1) In any case where a person dies intestate leaving a small estate, an application may be made to the Registrar at any time not earlier than one month after the death of the person for a grant of letters of administration in respect of the estate.

- (2) An application under subsection (1) may be made by any person being the husband, wife, issue, father, mother or issue of the father or mother, of the deceased person.

Grant of probate.

4. Probate of the will of any deceased person leaving a small estate may, upon application and upon production of the will and of an affidavit verifying the due execution thereof, be issued to the executor named in the will or, in any case where it appears to the Judge to be necessary or proper to do so, the Judge may appoint an administrator of the estate and direct letters of administration with the will annexed to be issued to him.

5. It shall be the duty of the Registrar to whom application is made to prepare such papers as may be necessary to lead to a grant of letters of administration or of probate, as the case may be, and, for that purpose, he may require the applicant to furnish him with a statement and give such other proof, as he may consider necessary, of the value of the estate, of the identity of the applicant and, where necessary, of his relationship to the deceased; but there shall not be required –

Duties and powers of Registrar.

- (a) any bond;
- (b) any declaration on oath as to the value of the estate; or
- (c) any administrator's or executor's oath.

6. After investigation of the application the Registrar shall prepare a report and shall lay it before a Judge and the Judge shall, if he is satisfied that the application ought to be granted, give a direction accordingly.

Investigation and report by Registrar.

7. Anything in any Act to the contrary notwithstanding, the fee to be paid in respect of a grant of letters of administration or of probate (including any application therefor) under this Act shall be the sum of ten dollars and there shall not be payable any other duties, fees or charges of any description whatsoever.

Special fee for grant.
[1 of 1973.
20 of 1978].

8. Any person who, for the purpose of deriving the benefit conferred by this Act, knowingly makes to the Registrar any statement which is false in any material particular is liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for six months.

Offence.

