

ADMINISTRATION OF ESTATES (FORMS) RULES – SECTION 4

(Legal Notice 15/1986)

Short title

1. These Rules may be cited as the Administration of Estates (Forms) Rules.

Forms

2. The forms to be used in connection with the Administration of Estates, in accordance with section 4 of the Administration of Estates Ordinance, shall be those prescribed in the Schedule to these rules.
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SCHEDULE

Form 1

AFFIDAVIT TO LEAD TO A GRANT OF LETTERS OF ADMINISTRATION

IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE OF....., Deceased.

AFFIDAVIT

(1)

MAKE OATH and say that....., deceased late of....., died on the day of....., 20....., domiciled in St. Helena, intestate,(2)

AND that no minority or life interest arises under the intestacy; and that, to the best of my/our(*) belief, there was no land vested in the deceased immediately before his/her death which was settled land and which remains settled land notwithstanding his/her death;

And I/We(*) further make Oath and say that I am /we are(*) the(3)

of the deceased; and that I/we(*) will faithfully and punctually administer the estate of the deceased according to law;

AND that the whole of the said estate amounts in value to a sum not exceeding £..... to the best of my/our(*) knowledge, information and belief;

AND I/we (*) hereby apply to this Honourable Court that Letters of Administration in the estate of the deceased be granted to me/us (*).

SWORN by

at.....

this.....day of 20.....

Before me,

A Commissioner for Oaths

NOTES

(1) Insert "I" or "We", and full names/addresses of applicant(s).

(2) Clear off prior claims to a grant.

(3) Insert relationship justifying a grant to the applicant(s).

(*) Delete as appropriate

Form 2

AFFIDAVIT TO LEAD TO A GRANT OF PROBATE

IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE OF....., Deceased.

AFFIDAVIT

(1)

MAKE OATH and say that....., deceased, late of....., died on the day of....., 20....., domiciled in St Helena, and that I/we believe the paper writing now produced to and marked by me/us(*) to be the true and original last Will and Testament of the deceased;

AND that no minority or life interest arises in the estate of the deceased; and that, to the best of my/our(*) belief, there was no land vested in the deceased immediately before his/her death which was settled land and which remains settled land notwithstanding his/her death, nor is any land settled by the said Will;

AND I/We(*) will further make Oath and say that I am/we are(*) the(2)

and that I/We(*) will faithfully and punctually administer the estate of the deceased according to law;

AND that the whole of the said estate amounts in value to a sum not exceeding £..... to the best of my/our(*) knowledge, information and belief;

AND I/We(*) hereby apply to this Honourable Court that Probate of the said Will be granted to me/us(*).

SWORN by

at

this day of, 20.....

Before me,

A Commissioner for Oaths

NOTES

(1) Insert "I" or "We", and full names/addresses of applicant(s).

(2) Insert "executors named in the will", or as appropriate to establish a right to a grant.

(*) Delete as appropriate

Form 3

**AFFIDAVIT TO LEAD TO A GRANT OF LETTERS OF
ADMINISTRATION (WITH WILL)**

IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE, Deceased.

AFFIDAVIT

(1)

MAKE OATH and say that, deceased,
late of, died
on theday of, 20....., domiciled in St. Helena,
and that I/we^(*) believe the paper writing now produce to and marked by me/us^(*) to be
the true and original last Will and Testament of the deceased, wherein the deceased
named no executor now living and able to act;

AND that no minority or life interest arises in the estate of the deceased; and that, to
the best of my/our^(*) belief, there was no land vested in the deceased immediately
before his/her death which was settled land and which remains settled land
notwithstanding his/her death, nor is any land settled by the said will;

AND I/We^(*) further make Oath and say that I am/we are^(*) the⁽²⁾

and that I/we^(*) will faithfully and punctually administer the estate of the deceased
according to law;

AND that the whole of the said estate amounts in value to a sum not exceeding
£..... to the best of my/our^(*) knowledge, information and belief;

AND I/We^(*) hereby apply to this Honourable Court that Probate of the said Will be
granted to me/us^(*).

SWORN by

at

thisday of, 20.....

Before me.

A Commissioner for Oaths

NOTES

(1) Insert "I" or "We", and full names/addresses of applicant(s).

(2) Insert "executors named in the will", or as appropriate to establish a right to a grant.

(*) Delete as appropriate

Form 4

GRANT OF LETTERS OF ADMINISTRATION



IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE OF, Deceased.

KNOW ALL MEN, by these presents,

That WHEREAS.....

late of

deceased,

died on the day of, 20....., domiciled in St. Helena, Intestate;

NOW THEREFORE Letters of Administration in the Estate of the said deceased are this day granted to:

..... and

the of the deceased.

Dated this day of, 20.....

..... Chief Justice/Judge

Form 5

GRANT OF LETTERS OF ADMINISTRATION (WITH WILL)



IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE OF, Deceased.

KNOW ALL MEN, by these presents,

that **WHEREAS**

late of

Deceased,

died on the day of, 20....., domiciled in St. Helena,
having made his/her last Will and Testament, a copy whereof is bound herein, but
named therein no executor now living and willing to act;

NOW THEREFORE Letters of Administration in the Estate of the said deceased
are this day granted to:

..... and

the of the deceased.

Dated this day of, 20..... .

.....
Chief Justice/Judge

Form 6

GRANT OF PROBATE



IN THE SUPREME COURT OF ST. HELENA

IN THE ESTATE OF, Deceased.

KNOW ALL MEN, by these presents,

that WHEREAS

late of

deceased,

died on the day of, 20....., domiciled in St. Helena, having made his/her last Will and Testament, a copy whereof is bound herein;

NOW THEREFORE Probate of the said Will is this day granted unto

..... and.....

Dated this day of, 20.....

.....
Chief Justice/Judge

Form 7

BOND

I/We

.....

hereby (jointly and severally) bind myself/ourselves to Our Sovereign Lady the Queen in the sum of £....., upon the conditions that the said Bond shall become null and void upon my/our faithfully and punctually administering the estate of deceased, according to law.

Dated this day of, 20..... .
