

How to apply for release of money from bank account for maintenance of former dependants of a person who died on or after 11 February 2006



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Introduction

The Director of Home Affairs, under authority delegated by the Secretary for Home Affairs, may issue on application a "Certificate for Necessity of Release of Money" to authorize release of money from the bank account of the deceased person for maintenance of former dependants. Section 60B of the Probate and Administration Ordinance, Chapter 10, Laws of Hong Kong, is relevant.

Application for release of money for maintenance of former dependants

The certificate for release of money from the bank account of the deceased person is to provide immediate relief for former dependant(s) of a person who died on or after 11 February 2006.

- The former dependant(s) in question should have been supported financially by the deceased person immediately before his/her death **and** have a beneficial interest in the estate.
- The money to be released will not be greater than the amount provided by the deceased person to the former dependant(s) in question immediately before death. Nor will the amounts in aggregate be greater than the beneficial interest of the former dependant(s) in the estate.
- The bank account in question should be one held in the sole name of the deceased person.
- If the deceased person has left a will and has named an executor or executors, the applicant should be the executor or one of the executors. Otherwise, the applicant should be the one who is entitled in priority to administer the estate.
- The application should be made on Form HAEU2. Copies of the form are available from the Estate Beneficiaries Support Unit of the Home Affairs Department. (Please refer to the section on **Enquiries** below for contact details.) Alternatively, the form can be downloaded from the following website : <http://www.had.gov.hk/estates>.
- On approval, the bank will be required to release the money in monthly instalments for a period of three months. Further applications may be made if necessary.

Supporting documents

The following documents are required to support an application for a certificate for release of money from the bank account of the deceased person for maintenance of former dependant(s) –

- (a) the identity card/passport of the deceased person;
- (b) the death certificate of the deceased person;
- (c) the identity card/passport of the applicant;
- (d) the last will of the deceased person, if the applicant is in the capacity of the executor;
- (e) any document(s) evidencing the relationship between the deceased person and the applicant, such as marriage or birth certificate, if the applicant is not the executor of the deceased person;
- (f) the letter(s) of renunciation duly executed by the person(s) entitled in higher priority to administer the estate, if applicable;
- (g) the death certificate(s) of the person(s) entitled in higher priority to administer the estate, if applicable;
- (h) any document(s) evidencing the relationship between person(s) named under (f) or (g) and the deceased person, if applicable;
- (i) any document(s) evidencing the relationship between the deceased person and the former dependant(s), such as marriage or birth certificate;
- (j) any document(s) evidencing the payment of maintenance by the deceased person to the dependant(s) immediately before death; and
- (k) the bank confirmation/statement/passbook showing the current balance of the account(s) held in the sole name of the deceased person.

On approval of the application, a certificate for release of money with detailed specifications will be issued to the applicant who may then take the certificate to the bank.

On presentation of the certificate, the bank will ask for proof of identity from the holder of the certificate. The bank will also check against the available balance in the account(s) in question.

Enquiries

If you have any questions relating to the application for a certificate for release of money from the bank account of a person who died on or after 11 February 2006 to meet the maintenance of his/her former dependants, you may contact the Estate Beneficiaries Support Unit of the Home Affairs Department –

- Address : 3/F, Southorn Centre, 130, Hennessy Road, Wan Chai, Hong Kong
- Telephone : 2835 1535
- Fax : 2122 9497
- E-mail : ebsu@had.gov.hk
- Website : <http://www.had.gov.hk/estates>

For administering the estates of persons who died before 11 February 2006, please contact the Estate Duty Office of the Inland Revenue Department at 2594 3240.