



**PROBATE AND ADMINISTRATION ORDINANCE
(CHAPTER 10)**

Form HAEU4B

**Application for Removal of Documents from a Deceased Person's
Bank Deposit Box (Rented in Sole Name or Jointly with Other Persons)**

Please read the following instructions carefully before you fill in the form.

1. An applicant for an Authorization for Removal from Bank Deposit Box must be:-
 - (a) the executor or any one of the executors named in the last will of the deceased person;
 - (b) a person who is entitled in priority to administer the estate; or
 - (c) the surviving renter of a jointly rented safe deposit box.
2. In cases where the safe deposit box is a jointly rented one with survivorship agreement¹, and the surviving renter wishes to remove his own document or article from the box, Form HAEU4A should be used.
3. No application will be accepted before an inventory of the contents of the safe deposit box has been prepared pursuant to a Certificate for Necessity of Inspection of Bank Deposit Box **or** after the issue of a grant of probate or letters of administration.
4. Removal is limited to a document of no monetary value, which must also satisfy the following conditions:-
 - (a) the document is necessary for or relevant to an application for summary administration, or for a grant or sealing of a grant issued by a foreign court of probate²; or
 - (b) the document belongs to a person other than the deceased person who has an urgent need for the document, and the removal of the document will not prejudice the legitimate interest of any person in the estate of the deceased person.

¹ A "jointly rented safe deposit box with survivorship arrangement" means a jointly rented safe deposit box kept pursuant to an agreement under the terms of which the access to the contents of the box of any of the renters of the box is not affected by the death of any other renter of the box.

² If a court of probate in a "Designated Country or Place" outside Hong Kong has granted probate or letters of administration, an application for sealing of the grant may be made to the Probate Registry so that the grant would be of the same force and effect, and have the same operation in Hong Kong as if granted by a court in Hong Kong. As at January 2006, the "Designated Country or Place" in Schedule 2 of the Probate and Administration Ordinance includes the Australian States of Tasmania, Victoria and South Australia and the Northern Territories of Australia; New Zealand; Singapore; Sri Lanka and United Kingdom.

5. If the document to be removed belongs to a person other than the deceased person, the owner of the document should complete and sign Part 5 of the form.
6. If the safe deposit box was jointly rented by the deceased person and another person or other persons, the application for removal should be supported by the written consent of the other party – the surviving renter or the executor/intending administrator³ – by completing and signing Part 6 of the form. Alternatively, the applicant may enclose a letter of consent signed by the relevant party. **If more than one surviving renter are involved, each surviving renter should provide his consent in writing.**
7. If more than one document are sought to be removed from the safe deposit box, the applicant is required to complete a Supplementary Sheet covering Parts 4, 5 and 6 of the form in respect of each additional document.
8. When submitting the application, the applicant must enclose a copy each of the following documents:-
 - (a) the identity card/passport of the applicant;
 - (b) the inventory of the contents of the safe deposit box;
 - (c) the last will of the deceased person, if the applicant is the executor of the deceased person and a copy of the will has not been provided;
 - (d) any document 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 and such document has not been provided;
 - (e) the letter of renunciation duly executed by the person entitled in a higher priority to administer the estate, if applicable and has not been provided;
 - (f) the death certificate of the person entitled in a higher priority to administer the estate, if applicable and has not been provided; and
 - (g) any document evidencing the relationship between person named under (e) or (f) and the deceased person, if applicable.

The applicant may be required to submit the original copy of the above documents for verification, if deemed necessary.

10. We reserve the right to call for any additional supporting documents in relation to the application.

³ The intending administrator is the person who is entitled in priority to administer the estate and intends to apply for a grant.

Statement of Purpose

1. The personal data provided by means of this form will be used by the Home Affairs Department for the purposes of processing this application and implementing the relevant provisions of the Probate and Administration Ordinance (Cap. 10).
2. The personal data provided by means of this form may be disclosed to other Government bureaux, departments and other relevant persons and bodies for the purposes mentioned above.
3. The data subject(s) has/have a right of access and correction with respect to personal data as provided for under the Personal Data (Privacy) Ordinance (Cap. 486).
4. Enquiries concerning the personal data collected by means of this form, including access to and correction of the personal data, should be addressed in writing to Estate Beneficiaries Support Unit, Home Affairs Department at 3/F, Southorn Centre, 130 Hennessy Road, Wan Chai, Hong Kong.

Any fraudulent application is liable to prosecution

Part 1 The safe deposit box

(1) Name of bank		Branch	
(2) Address			
(3) Box number			
(4) Type of box	Solely rented / Jointly rented*		
(5) Names of renters in the lease agreement			
(6) Date on which the inventory was prepared			
(7) Name of the holder of the certificate for inspection who prepared the inventory			

Part 2 The deceased person

(1) Name			
(2) HK Identity Card/Passport* number			
(3) Date of death			

Part 3 The applicant

(1) Name			
(2) HK Identity Card/Passport* number			
(3) Telephone No.			
(4) Address			
(5) Relationship with the deceased person			
(6) Capacity in which you apply for an authorization for removal:	<input type="checkbox"/>	Executor	
	<input type="checkbox"/>	Intending administrator	
	<input type="checkbox"/>	Surviving renter	

Part 4 Particulars of the document to be removed from the box

(1) Item _____ of the Inventory

Title/Description: _____

(2) Is the document necessary for or relevant to an application for summary administration, or for a grant of or sealing of a grant issued by a foreign court of probate?

Yes

No

(3) Does the document belong to a person other than the deceased person?

Yes – Complete (a), (b) and (c) below

No – Go to Part 6

(a) Name and address of the owner of the document, and his relationship with the deceased person:

(b) Why does the owner of the document need to remove the document from the box before the issue of grant?

(c) Why do you consider that the removal of the document from the safe deposit box will not prejudice the legitimate interest of any person in the estate of the deceased person?

Part 5 Consent given by owner of the document

I, _____ of HK Identity Card/Passport* No. _____, confirm that the document under item _____ of the Inventory belongs to me and I consent to its removal from the box by _____.

Signed by:

(_____)

Owner of the document

Date:

Part 6 Consent given by the surviving renter or the executor/intending administrator, as appropriate

I, _____ of HK Identity Card/Passport* No. _____, consent to the removal of the document under item _____ of the Inventory from the box by _____.

Signed by:

(_____)

Surviving renter/executor/intending administrator*

Date: _____

I, _____ of HK Identity Card/Passport* No. _____, consent to the removal of the document under item _____ of the Inventory from the box by _____.

Signed by:

(_____)

Surviving renter/executor/intending administrator*

Date: _____

Declaration

I declare that the information given in this form is true, correct and complete to the best of my knowledge, information and belief.

Date: _____

Signature of applicant: _____

* Delete where inappropriate.

Supplementary Sheet

Part 4 Particulars of the document to be removed from the box

(1) Item _____ of the Inventory

Title/Description: _____

(2) Is the document necessary for or relevant to an application for summary administration, or for a grant of or sealing of a grant issued by a foreign court of probate?

Yes

No

(3) Does the document belong to a person other than the deceased person?

Yes – Complete (a), (b) and (c) below

No – Go to Part 6

(a) Name and address of the owner of the document, and his relationship with the deceased person:

(b) Why does the owner of the document need to remove the document from the box before the issue of grant?

(c) Why do you consider that the removal of the document from the safe deposit box will not prejudice the legitimate interest of any person in the estate of the deceased person?

Part 5 Consent given by owner of the document

I, _____ of HK Identity Card/Passport* No. _____, confirm that the document under item _____ of the Inventory belongs to me and I consent to its removal from the box by _____.

Signed by:

(_____)

Owner of the document

Date: _____

Part 6 Consent given by the surviving renter or the executor/intending administrator, as appropriate

I, _____ of HK Identity Card/Passport* No. _____, consent to the removal of the document under item _____ of the Inventory from the box by _____.

Signed by:

(_____)

Surviving renter/executor/intending administrator*

Date: _____

I, _____ of HK Identity Card/Passport* No. _____, consent to the removal of the document under item _____ of the Inventory from the box by _____.

Signed by:

(_____)

Surviving renter/executor/intending administrator*

Date: _____

Declaration

I declare that the information given in this form is true, correct and complete to the best of my knowledge, information and belief.

Date: _____

Signature of applicant: _____

* Delete where inappropriate.