



Home Affairs Department

Estate Beneficiaries Support Unit

3rd Floor, Southorn Centre,

130 Hennessy Road, Wan Chai, Hong Kong.

Tel.: 2835 1535

PROBATE AND ADMINISTRATION ORDINANCE (CHAPTER 10)

Form HAEU5-A

Affidavit by Executor/Intending Administrator* for the Issue of a Confirmation Notice

IN THE ESTATE OF ¹ _____,
late of ² _____
_____ Hong Kong,
of ³ _____, deceased person.

I, ⁴ _____, of

⁵ _____

do hereby solemnly, sincerely and truly affirm and say as follows:-

1. The above-named and described deceased person late of the above address died intestate/testate* in ⁶ _____ on the ⁷ _____ having attained the age of _____ years.

2. I am the lawful [and natural*] ⁸ _____ of the deceased person.

Or

[For testate estate]

2. I am the executor appointed by the deceased person in his last will and testament dated the _____ day of _____, _____.

¹ Name of the deceased person

² Address

³ Occupation

⁴ Name of applicant

⁵ Address

⁶ Place of death

⁷ Date of death

⁸ Relationship

3. I believe the paper writing shown to me and marked “ ” by me to contain the true copy of will and testament of the said deceased person.

OR

[For intestate estate]

3. The deceased person left him surviving the following only next of kin:-

Name	Age	Relationship with the deceased person

3A. Since the death of the said deceased person, I have made a diligent search among his papers and effects for any Will or similar instrument made by him but I have been unable to find any such Will or instrument.

4. I have yet to apply for a grant of representation in respect of the estate of the said deceased person and to the best of my knowledge, information and belief no other person has applied or is going to apply for such a grant as aforesaid.

5. I have prepared the Annex – Schedule of Money exhibited hereto marked “ ”.

6. To the best of my knowledge, information and belief, the exhibited Schedule of Money contains true and correct information of the assets of the deceased person in Hong Kong as at the date of his death. And there is no other property real or personal in Hong Kong held by the deceased person as trustee or as the manager of a Tso or Tong as at the date of his death.

7. To the best of my knowledge, information and belief, the deceased person did not owe any debt. In the event that I subsequently discover that the deceased person owed the Government of Hong Kong Special Administrative Region or any person any debt or tax, I hereby undertake to settle any claim, which may be lodged by the Government or any claimant against this estate.

8. As all properties beneficially owned by the deceased person as at the date of death are money not exceeding \$50,000.00 in aggregate, I hereby request the Director of Home Affairs to issue a Confirmation Notice to me, certifying that any taking possession or administration of the money set out in the exhibited Schedule of Money by me and any act incidental to such taking possession or administration will not be treated as intermeddling and subject to criminal penalties under section 60J(3), (6) and (7) of the Probate and Administration Ordinance.

9. I will well and truly administer and faithfully dispose of all such property of the deceased person set out in the Schedule of Money.

10. I hereby undertake to give a written notification to the Director of Home Affairs if, subsequently to the issue of the Confirmation Notice, I become –

- (a) aware of any property beneficially owned by the deceased person as at the date of death which has not been disclosed in the Schedule exhibited by this Affidavit;
- (b) aware that the deceased person held any property as trustee or as the manager of a Tso or Tong as at the date of his death; or
- (c) aware of any inaccuracy in the Schedule attached to the Confirmation Notice.

11. I also hereby undertake to surrender the Confirmation Notice to the Director of Home Affairs as soon as practicable if, subsequent to the issue of the Confirmation Notice, I have been notified of the cancellation of the Notice. I understand that failure to do so is an offence under the Probate and Administration Ordinance.

Affirmed/sworn at ⁹ _____)
, this day of _____, 20 [through the interpretation)
of ¹⁰ _____,)
the said interpreter having also first affirmed/sworn* that he)
had truly, distinctly and audibly interpreted the contents of this)
document to the affirmant/deponent*, and that he would truly)
and faithfully interpret the affirmation/oath* about to be)
administered to him].)

Before me,

Solicitor, HKSAR/Commissioner for Oaths

I, ¹¹ _____, ¹² _____)
of ¹³ _____)
do *[solemnly and sincerely affirm] [make oath] and say that I)
well understand the _____ dialect of the)
_____ language and the English language)
and that I have truly, distinctly and audibly interpreted the)
contents of this document to the affirmant/deponent*)
_____ and that I will truly and faithfully)
interpret the affirmation/oath* about to be administered to him.)

AFFIRMED/SWORN*at ¹⁴ _____)
_____)
this day of _____, 20 .)

Before me,

Solicitor, HKSAR/Commissioner for Oaths

* Delete if inappropriate.

⁹ Address
¹⁰ Name of interpreter
¹¹ Name of interpreter
¹² Occupation of interpreter
¹³ Address of interpreter
¹⁴ Address