



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

**Application for a Confirmation Notice in respect of an Estate
Wholly Made Up of Money and Not Exceeding \$50,000 in Value**

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

1. For an application for a confirmation notice, the following conditions should be met –
 - (a) all properties beneficially owned by the deceased person in Hong Kong as at the date of his death are money# (# cash, money in bank accounts in the sole name of the deceased person (i.e. excluding joint bank accounts) and telebet account of HK Jockey Club, tax refund, utility deposit) not exceeding \$50,000 in aggregate; and
 - (b) the deceased person did not hold any property as trustee or as the manager of a Tso or Tong as at the date of his death.
2. If at the date of death, the deceased person beneficially owned other properties in Hong Kong not being money (such as securities, business, landed property, motor vehicles, safe deposit box, jewels, Mandatory Provident Funds, insurance policy), or debts (such as tax liabilities, bank loan, overdraft, credit card debt), this confirmation notice shall not be applicable.
3. If the deceased person left a will, the application shall be made by the executor(s) named in the last will of the deceased person.
4. If the deceased person did not leave a will, the persons entitled to administer the estate may make the application in the following order of priority –
 - (a) the surviving spouse;
 - (b) the children of the deceased person;
 - (c) the parents of the deceased person;
 - (d) the brothers and sisters of the deceased person.
5. The applicant should complete this form, Form HAEU5-A and Form HAEU5-S. Where the application is in order, the applicant will be notified of the time for return to swear/affirm the Form HAEU5-A before a Commissioner for Oaths.

6. When submitting the application, the applicant must enclose a copy each of the following supporting documents –
 - (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 any;
 - (e) 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;
 - (f) the letter of renunciation duly executed by the person entitled in a higher priority to administer the estate, if applicable;
 - (g) the death certificate of the person entitled in a higher priority to administer the estate, if applicable;
 - (h) any document evidencing the relationship between the person named under (f) and/or (g) and the deceased person, if applicable; and
 - (i) fixed deposit receipt(s)/bank statement(s)/bank passbook(s) in respect of all bank account(s) of the deceased person, showing the bank account balance as at the date of death of the deceased person and those for the last three months before death.

The original death certificate and the last will (if any) of the deceased person must be submitted for verification. The applicant may be required to submit the original copy of other documents for verification, if deemed necessary.

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

IMPORTANT NOTES

1. A confirmation notice only certifies that any possession or administration of the money set out in Form HAEU5-S, and any act incidental to such taking possession or administration of the money will not be treated as intermeddling and subject to criminal penalties under section 60J(3), (6) and (7) of the Probate and Administration Ordinance.
2. The confirmation notice is not a replacement for a grant of representation. The bank may exercise its discretion in deciding whether to release the bank balance stated in Form HAEU5-S attached to the confirmation notice to the applicant without the production of a grant of probate or letters of administration.
3. The applicant to whom money is paid pursuant to the confirmation notice is legally obliged to administer the money properly.

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 deceased person

(1) Name:	
(2) HK Identity Card/Passport* number:	
(3) Date of death:	
(4) Age:	
(5) Place of death:	
(6) Last address:	
(7) Occupation:	
(8) Marital status:	Single/Married/Divorced/Widowed*
(9) Did the deceased person leave a will?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Part 2 The executor – if the deceased person left a will

(1) Date of last will made by the deceased person:	
(2) Name(s) of executor(s):	
(3) Address of executors:	

Part 3 The applicant

(1) Name:	
(2) HK Identity Card/Passport* number:	
(3) Telephone number:	
(4) Address:	
(5) Capacity in which you apply for the confirmation notice:	Executor / Person entitled in priority to administer the estate*

(6) Please identify your relationship with the deceased person:-

Relationship	Tick
(a) I am the surviving spouse.	<input type="checkbox"/>
(b) I am his/her* son/daughter*.	<input type="checkbox"/>
(d) I am his/her* father/mother*.	<input type="checkbox"/>
(f) I am his/her* brother/sister*.	<input type="checkbox"/>
(e) Other, please specify	

Part 4 Next of kin of the deceased person

Name	Age	Relationship with the deceased person

Part 5 The estate

Details of cash/bank accounts

Complete the **Form HAEU5-S**

Declaration

I declare that apart from the money mentioned in Form HAEU5-S, the deceased person, as at the date of his death, did not beneficially own any other properties in Hong Kong not being money (such as securities, business, landed property, motor vehicles, safe deposit box, jewels, Mandatory Provident Funds, insurance policy); or debts (such as tax liabilities, bank loan, overdraft, credit card debt); or hold any property as trustee or as the manager of a Tso or Tong.

The facts given by me above are true and I understand that the same will be incorporated in the Form HAEU5-A to be sworn/affirmed* by me.

Date: _____

Signature of applicant: _____

* Delete where inappropriate.

For Official Use

Name of checking officer:

Date:

Remarks:
