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FORM NO. F1.3

Surety's Guarantee

(on Application for Sealing of Foreign Grant)

IN THE HIGH COURT OF THE
HONG KONG SPECIAL ADMINISTRATIVE REGION
COURT OF FIRST INSTANCE

IN THE ESTATE of (name) late of (address),
(marital status), deceased ("the Deceased")

and

IN THE MATTER of Rule 41 of the
Non-Contentious Probate Rules (Cap.10A)

WHEREAS the Deceased died at (place of death) on (date of death) and letters of administration*[with Will annexed] of *his/her estate were on (date of grant) granted by the court in the Deceased's place of domicile to (name of grantee) of (address) and are about to be sealed in Hong Kong:

NOW THEREFORE:

1. We, C.D., (occupation), of (address), and E.F., (occupation), of (address), hereby jointly and severally guarantee that we will, when lawfully required to do so make good any loss which any person interested in the administration *[of the estate of the Deceased] [of the estate of the Deceased and trust property held by the Deceased] [of the trust property held by the Deceased] in Hong Kong may suffer in consequence of the breach by the *administrator/administratrix of *his/her duty:

- (a) to collect and get in *[the estate of the Deceased] [the estate of the Deceased and trust property held by the Deceased] [the trust property held by the Deceased] which is situated in Hong Kong and administer it according to law and, in particular, to pay those debts of the Deceased which fall to be paid in Hong Kong according to the priorities

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required by law and, so far as possible having regard to those priorities, proportionately;

- (b) when required to do so by the court, to exhibit on oath in the court a full inventory of the estate which is situated in Hong Kong and, when so required to render an account of that estate.

2. The giving of time to the *administrator/administratrix or any other forbearance or indulgence shall not in any way affect our liability under this guarantee.

3. The liability under this guarantee shall be continuing and shall be for the whole amount of the loss mentioned in paragraph 1 above, but our aggregate total liability shall not in any event exceed the sum of \$.....

IN WITNESS whereof we have hereunto set our hands and seals this (date).

SIGNED, SEALED AND DELIVERED)

by C.D. and E.F. in the presence of:)

)

(L.S.)

)

(L.S.)

*Solicitor/Commissioner for Oaths

(Firm name)

*[Interpreted by:

(Name of interpreter)]

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Notes:

- (1) *Delete or adapt as appropriate.
- (2) One surety will suffice if the gross value of the estate does not exceed the sum of \$7,000.00.