

**For Reference Only**

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FORM NO. S3.2b

Affirmation or Affidavit by Administrator with Will

(For Grant De Bonis Non)<sup>1</sup>

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”)

I, A.B., (occupation), of (address), do hereby \*[solemnly and sincerely affirm] [make oath] and say as follows:

1. The Deceased died at (place of death) on (date of death) at the age of ..... years, having made and executed \*his/her last Will dated ..... The Deceased died domiciled in .....
  
2. (a) The Deceased appointed C.D., since deceased, the sole \*executor/executrix in the Will.
  
2. (b) The Deceased named the following persons the beneficiaries in the estate:

<u>Name</u>	<u>Now Aged</u>
A.B.	
C.D.	since deceased
E.F.	
  
3. The Deceased did not name any residuary legatee or devisee holding in trust for any other person in the Will.
  
4. The Deceased did not name any residuary legatee or devisee for life in the Will.
  
- \*5. (a) The true name of the Deceased was .....
- (b) The Deceased made and executed the Will in the name of .....
- (c) The Deceased held (particulars of the asset) in the alias of .....

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(d) In fact the aforesaid names refer to the same person, the Deceased.

6. Probate of the Will of the Deceased under Grant No. .... was granted to C.D. on (date of Grant). C.D. died \*testate/intestate at (place of death) on (date of death) leaving \*[part of] [the whole of] the estate of the Deceased unadministered. \*[The Will of C.D. has not been proved.]

7. To the best of my knowledge, information and belief, there is no other property real or personal under any title whatsoever, which by law devolves to and vests in the personal representatives of the Deceased, in respect of which estate duty is payable to the Government of the Hong Kong Special Administrative Region upon the death of the Deceased, than those set out in the Estate Duty Commissioner's Schedule of unadministered Property field herein so far as at present can be ascertained. The principal value of the unadministered estate amounts to \$.....

8. I believe the paper writing shown to me and marked "A" by me to contain the court certified true copy of the last Will of the Deceased, and I will administer according to the law all the estate which by law devolves to and vests in the personal representatives of the Deceased and I will exhibit a true and perfect inventory of all and singular the estate and effects and render a just and true account thereof whenever required by law so to do.

9. \*[No minority interest] [Minority interest<sup>3</sup>] arises under the Will.

10. \*[No life interest] [Life interest<sup>3</sup>] arises under the Will.

11. I am applying as one of the residuary legatees and devisees named in the Will for letters of administration (with the Will annexed) de bonis non of the unadministered estate of the Deceased.

AFFIRMED/SWORN, etc. (see Form No. F2.1)

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### **Notes:**

- (1) This form is for application by a person for administration with Will annexed of the unadministered estate of the Deceased who died before 11th February 2006.
- (2) \*Delete or adapt as appropriate.
- (3) If minority/life interest arises under the Will, the application shall be made in compliance with section 25 of the Probate and Administration Ordinance (Cap.10) that a co-administrator/co-administratrix is required.