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FORM NO. L1.3b

Affirmation or Affidavit by Administrator

(Child's Application)¹

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 intestate at (place of death) on (date of death) at the age of years and domiciled in

*2. The following person is the only person entitled to *his/her estate:
A.B., *his/her lawful and natural *son/daughter, aged years.

*2. The following persons are the only persons entitled to share in *his/her estate:

<u>Name</u>	<u>Relation</u>	<u>Age</u>
A.B.	*his/her lawful and natural *son/daughter	

*3. (a) The Deceased had the following issue now surviving:

<u>Name</u>	<u>Relation</u>	<u>Age</u>
A.B.	*his/her lawful and natural *son/daughter	

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*3. (b) The Deceased had the following issue who died before *him/her:

<u>Name</u>	<u>Relation</u>	<u>Place and date of death</u>	<u>Age at death</u>
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*3. (c) The Deceased had the following issue who died after *him/her:

<u>Name</u>	<u>Relation</u>	<u>Place and date of death</u>	<u>Age at death</u>
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*3. (d) The Deceased had no other children or issue during the whole of *his/her lifetime than *that/those mentioned hereinabove who *was/were born by *C.D./the Deceased to *the Deceased/E.F.

*4. (a) The Deceased was never married to any person other than C.D., his *[lawful wife] [lawful kit-fat wife and he had no concubine].

*4. (b) C.D. was never married to any person other than the Deceased, her lawful husband.

*4. (a) The Deceased was never married to any person other than E.F., her lawful husband.

*4. (b) E.F. was never married to any person other than the Deceased, his *[lawful wife] [lawful kit-fat wife and he had no concubine].

5. *C.D./E.F., the *[lawful husband] [lawful wife] [lawful kit-fat wife] of the Deceased died before *him/her at (place of death) on (date of death) at the age of years.

*6. (a) The true name of the Deceased was

(b) The Deceased held (particulars of the asset) in the alias of

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

7. Since the death of the Deceased, I have *[made] [caused to be made] a diligent search among *his/her papers and effects for any Will made by *him/her, but I have been *[unable to find such Will] [informed that no such Will has been found].

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*8. 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 *[Provisional] Schedule of Property filed herein so far as at present can be ascertained. The *[provisional] principal value of the estate amounts to \$..... *[including death gratuity in the sum of \$..... and an ex-gratia payment in the sum of \$..... payable to the estate by the Government of the Hong Kong Special Administrative Region] [including the Mandatory Provident *[Fund] [Funds] payable to the estate in the sum of \$..... *(and \$..... respectively)] [apart from a claim for (nature of claim) the amount of which is unknown].

*8. I have been exempted from the provisions of section 14 (6) of the Estate Duty Ordinance (Chapter 111) as indicated in the Certificate of Exemption dated under the hand of the Estate Duty Commissioner filed herein. The principal value of the estate amounts to \$..... [including death gratuity in the sum of \$..... and an ex-gratia payment in the sum of \$..... payable to the estate by the Government of the Hong Kong Special Administrative Region] [including the Mandatory Provident *[Fund] [Funds] payable to the estate in the sum of \$..... *(and \$..... respectively)]. 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, beyond that to which reference has already been made in the Statement in lieu of Affidavit tendered to the Estate Duty Commissioner pursuant to the issue of the Certificate of Exemption. A verified copy of the Statement in lieu of Affidavit is filed herein.

9. I will well and truly administer and faithfully dispose of, all such property and estate, rights and credits as the Deceased at the time of *his/her death was entitled to within Hong Kong, and I will pay whatever debts the Deceased did owe, so far as such property and estate, rights and credits, shall extend, 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.

10. *[No minority interest] [Minority interest³] arises under the intestacy.

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11. No life interest arises under the intestacy.

12. I am applying as the lawful and natural *son/daughter of the Deceased and *[the only person entitled to] [one of the persons entitled to share in] the estate of the Deceased for letters of administration of the estate.

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

Notes:

- (1) This form is for application by the son/daughter for administration of the estate of his/her father/mother who died before 11th February 2006.
- (2) *Delete or adapt as appropriate.
- (3) If minority/life interest arises under the intestacy, 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.
- (4) C.D. represents wife while E.F. stands for husband.