

High Court Probate Registry

Guide to Court Services



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The Probate Registry

Part I

Introduction

1.1. What is Probate?

It is a court order authorizing one or more persons to administer the Deceased's estate according to the directions in the Will. The person is referred to as executor.

1.2. What are Letters of Administration?

It is a court order authorizing one or more persons to administer the Deceased's estate in accordance with the law. The person is referred to as administrator.

1.3. What are Letters of Administration (with Will annexed)?

It is a court order authorizing one or more persons to administer the Deceased's estate in accordance with the directions in the Will when no executor is appointed or no executor is able or willing to act for whatever reasons. The person is also referred to as administrator.

1.4. What is a Grant?

It includes Probate, Letters of Administration or Letters of Administration (with Will annexed).

Part II

The Probate Registry

2.1. Why was the Probate Registry established?

The Probate and Administration Ordinance (Cap.10) delegates the power to issue Grant to the High Court. The Registrar of the High Court is asked to exercise such power and process all non-contentious applications. To assist him in discharging his duties, the Probate Registry has been established as part and parcel of the Judiciary.

2.2. What does the Probate Registry do?

The Probate Registry helps the Registrar to process applications and raise requisitions to make sure that the Grant will be issued to the right person under the law. It also assists him to carry out other functions under the law including performing the functions of the Official Administrator.

2.3. If the Deceased left estate outside Hong Kong, can I include them in the application in the Probate Registry?

The probate jurisdiction of the Hong Kong Court (including the Probate Registry) covers the estate in Hong Kong only. Hence, any estate outside Hong Kong, including those in the Mainland and Macau, has to be dealt with and administered according to the relevant law and regulations where the estate is situated. Indeed, section 24A of the Probate and Administration Ordinance (Cap.10) states clearly that assets and liabilities of the Deceased means those within Hong Kong only. Estate outside Hong Kong shall therefore not be included in Specified Form N4.1.

Part III

The Official Administrator

3.1. Who is the Official Administrator?

The Registrar of the High Court is the ex officio Official Administrator.

3.2. What does he do?

The Official Administrator provides an inexpensive way of dealing with estates of small value. He helps the beneficiaries to obtain money summarily under the estate.

3.3. Under what circumstances will the Official Administrator help to administer the estate in a summary manner?

The Official Administrator will usually get in and administer summarily an estate, not exceeding \$150,000, made up of cash in hand, money at banks (account in the sole name of the Deceased) and/or Mandatory Provident Fund.

3.4. Does the Official Administrator charge?

The Official Administrator charges a commission based on the gross value of an estate at the rate of:

- | | | | |
|-----|------|-------|---------------|
| (a) | 5% | ..... | first \$1,000 |
| (b) | 2.5% | ..... | next \$4,000 |
| (c) | 1% | ..... | balance |

Part IV

What should I do?

4.1. What should I do if I want to administer an estate?

It is a difficult question to answer because it depends on a number of factors. Nonetheless, if the Deceased died leaving estate in Hong Kong, you may consider the following matters, namely:

- (a) the date of death of the Deceased,
- (b) the domicile of the Deceased,
- (c) whether the Deceased made a Will, and
- (d) the value and nature of the estate.

Part V

Death before 11 February 2006

5.1. What do I do first?

You must attend the Estate Duty Office of the Inland Revenue Department to apply and obtain the necessary estate duty clearance papers.

5.2. What should I do next?

You may apply to the Official Administrator for his assistance by summary administration if the estate meets the circumstances mentioned in paragraph 3.3 above.

5.3. What do I do if the Official Administrator is not able to help me?

You may seek assistance from the Public Application Section of the Probate Registry to apply for a Grant.

The Public Application Section will usually be able to help if:

- (a) the application seems simple and straightforward,
- (b) the nature of the estate is not complicated, and
- (c) the Registrar considers it proper to offer help.

5.4. What should I do if the Public Application Section is unable to help me?

In such case, you should consider seeking independent legal advice. A list of solicitors' firms published by the Law Society of Hong Kong is available for perusal at the Probate Registry.

Part VI

Death on or after 11 February 2006

6.1. What do I do first?

Please check what the Deceased has left. If he rented a bank safe deposit box on his own or jointly with others, you should follow the procedures as set out in the relevant pamphlet issued by the Home Affairs Department to apply for inspection of the box, taking inventory and removal of the Will of the Deceased, if any.

6.2. What should I do next?

If you need money urgently for funeral expenses or maintenance of former dependents of the Deceased, or that the estate consists of money only not exceeding \$50,000, you should also follow the procedures as set out in the relevant pamphlet issued by the Home Affairs Department to seek assistance.

6.3. What do I do if the Home Affairs Department cannot help me?

You may apply to the Official Administrator for his assistance by summary administration if the estate meets the circumstances mentioned in paragraph 3.3 above.

6.4. What then if the Official Administrator is not able to help me?

You may seek assistance from the Public Application Section of the Probate Registry to apply for a Grant.

The Public Application Section will usually be able to help if:

- (a) the application seems simple and straightforward,
- (b) the nature of the estate is not complicated, and
- (c) the Registrar considers it proper to offer help.

6.5. What should I do if the Public Application Section is unable to help me?

In such case, you should consider seeking independent legal advice. A list of solicitors' firms published by the Law Society of Hong Kong is available for perusal at the Probate Registry.

Part VII

Who can apply for a Grant?

- 7.1. If the Deceased left a Will, who can apply for the Grant?

Usually, it is the executor who should submit the application.

- 7.2. What if no executor is appointed or that no executor is able or willing to act for whatever reasons?

Rule 19 of the Non-Contentious Probate Rules (Cap.10A) governs the order of priority for different persons to make the application. To answer this question requires an understanding of some technical terms in the rule and an interpretation of the subject Will. You should consider seeking independent legal advice in case of doubt.

- 7.3. If the Deceased did not leave a Will, who can apply for the Grant?

Rule 21 of the Non-Contentious Probate Rules (Cap.10A) regulates it. In simple words, the order of priority is:

- (a) spouse,
- (b) the child or children of the Deceased,
- (c) the father and/or mother of the Deceased,
- (d) the brother and/or sister of the Deceased.

- 7.4. Who should make the application?

As a matter of general rule, the one with higher priority should file the application for Grant. However, a person having a

lower priority may still be entitled to the Grant if the persons with higher priority have either died or renounced their rights to the Grant. Evidence of death or renunciation has to be filed with the Probate Registry.

Part VIII

What should I note in relation to an application for Grant?

8.1. May I make an application for Grant in person?

Rule 4(1) of the Non-Contentious Probate Rules (Cap.10A) allows you to do so.

8.2. Can I apply through an attorney?

A person may apply through his lawfully constituted attorney if he resides outside Hong Kong and is entitled to the Grant himself.

8.3. Should I engage a solicitor?

It is a matter of your own choice. You may wish to engage a solicitor to help in applying for the Grant if:

- (a) the application does not seem simple and straightforward,
- (b) the nature of the estate is complicated, and/or
- (c) you are not familiar with the legal procedures such as preparation and filing of the necessary papers.

8.4. Can the staff at the Probate Registry help me?

The staff of the Probate Registry will try their best endeavors to assist you on procedural matters in relation to an application for Grant. However, you should note rule 4(8) of the Non-Contentious Probate Rules (Cap.10A) states clearly that no legal advice shall be given to a personal applicant by any person in the Probate Registry. Hence, the primary obligation to choose and complete the correct Specified Forms rests on you.

8.5. Can I apply through an agent?

Rule 4(2) of the Non-Contentious Probate Rules (Cap.10A) aims at preventing persons, who are not qualified solicitors, from providing legal services. The rule prohibits application through an agent, whether paid or unpaid. Further, the personal applicant may not be attended by any person acting or appearing to act as his adviser.

8.6. Is there any requirement as to the number of applicant(s) and age limit?

You should note that a Grant shall be issued to:

- (a) not more than four persons,
- (b) not less than two persons for an estate involving minor beneficiary and/or someone who is entitled to enjoy an interest for life (commonly known as minority and/or life interest respectively), and
- (c) person(s) not under the age of 21.

Part IX

How can I apply for a Grant?

9.1. What documents should I prepare?

You should complete the appropriate Specified Form(s). They are available in hard copies at the Probate Registry and in soft copies on its website. Further, you have to bring along all relevant documents, papers and evidence proving your entitlement to the Grant.

9.2. How should I complete the Specified Forms?

You are suggested to read carefully “The Guide to the Specified Forms” issued by the Registrar of the High Court. Copies are available at the Probate Registry or you can download the document from its website. You may also consult your solicitor.

9.3. Can I apply for the Grant by post?

You must attend personally the Probate Registry to apply for a Grant because rule 4(9) of the Non-Contentious Probate Rules (Cap.10A) does not allow application by post.

9.4. What should I do if I am not entirely sure about the nature and details of the estate?

For death of a Deceased before 11 February 2006, the Estate Duty Office of the Inland Revenue Department may help you to verify the estate. However, for death of a Deceased on or after 11 February 2006, the burden lies on you, as the applicant of the Grant, to check and obtain the details of the

estate from the relevant authorities and fill in the Specified Form N4.1. The Probate Registry does not have the authority to check and obtain the information. Neither does any of its staff check and verify the correctness of the same.

- 9.5. The Deceased died a long time ago but no one has ever applied for/obtained a Grant, could I still apply for one now?

There is no law limiting the time to apply for a Grant after the death of the Deceased. Hence, in theory, you can file an application for Grant at any time after the death of the Deceased. However, reasons should be included in the relevant Specified Form to explain to the Court the delay in making the application.

Part X

Fees for the Grant

- 10.1. Do I need to pay if I apply for a Grant?

Court fees are payable in accordance with the Second Schedule of the High Court Fees Rules (Cap.4D).

10.2. For persons who died before 11 February 2006, what are the court fees?

They include:

- (a) \$265 fee for filing an application,
- (b) \$72 fee for engrossment of a Grant, and
- (c) Scale fee for processing an application for Grant:

If the estate is sworn under the net value of

\$ 10,000	.....	\$160
\$ 20,000	.....	\$320
\$ 50,000	.....	\$640
\$ 100,000	.....	\$800
\$ 200,000	.....	\$1,200
\$ 300,000	.....	\$1,600
\$ 400,000	.....	\$2,400
\$ 600,000	.....	\$3,200
\$ 800,000	.....	\$4,000
\$ 1,000,000	.....	\$4,800

and \$400 for every additional \$100,000 or part thereof.

10.3. For persons who died on or after 11 February 2006, what are the court fees?

The usual fees are:

(a) \$265 fee for filing an application, and

(b) \$72 fee for engrossment of a Grant.

Please note that there is no more scale fee for processing an application for Grant.

Part XI

Usual Questions

11.1. How long will it take for a Grant to be issued?

A Grant will be issued once you have met all legal requirements and answered all requisitions to the satisfaction of the Registrar. The length of time required varies from one case to another. For simple and straightforward case, it usually takes about 5 to 7 weeks on average. However, if the application is not simple and straightforward and/or the nature of the estate is complicated, the length of time required may be longer.

11.2. How many times do I have to attend the Probate Registry?

Since the Registrar is entrusted with the obligation to check carefully the entitlement of the applicant to the Grant, you may be required to attend the Probate Registry for more than once to submit additional information and file further

documents or evidence. If you are not free or have some other engagements, you may authorize someone in writing to help submitting and filing the information, documents or evidence.

11.3. Why does the Probate Registry have to raise requisitions and request for documents?

The Probate Jurisdiction is inquisitorial. The Grant is an important legal document which usually authorizes the grantee to deal with the estate without limitation. Hence, the Registrar is under a duty to ensure all requisitions are answered satisfactorily, including the provision of evidence and documents to prove the facts (marriage, birth, death, etc.) and relationship of parties in the supporting affidavit.

11.4. Can I get back the documents filed?

All documents filed form part of the court record and are usually not to be returned. You may however apply for photocopies of them upon payment of the prescribed fees. Each page of a copy costs \$4. The court certified copy fee amounts to \$125 for each document together with \$4 per page thereof. On the other hand, after a period of 6 months from the date of the issuance of the Grant, you may apply, on good grounds, for the return of the original marriage certificates, birth certificates and death certificates (other than that of the Deceased) from the Registrar who will make a decision on your application according to the circumstances. If your request is agreed, the Registrar will usually ask you to acknowledge receipt of the original document, undertake to return it upon request and provide him with a photocopy for the court record.

- 11.5. In respect of the estate of the Deceased situated in Hong Kong, will the Probate Registry issue two grants of representation (one in Chinese and one in English)?

This Registry only issues one grant of representation in respect of the estate of the Deceased situated in Hong Kong in the official language (Chinese or English) used by the applicant in the application for Grant.

- 11.6. What is “domicile”?

Domicile is an important legal concept within the context of Grant application. For deaths before 1 March 2009, common law applied to determine the domicile of the Deceased at the time of his death. For deaths on or after 1 March 2009, it is governed by the Domicile Ordinance (Cap.596). You should seek independent legal advice for any enquiry.

Having said that, very briefly, domicile means the country or place where the Deceased stayed lawfully and intended it to be his permanent home at the time of his death. A person cannot be without a domicile and cannot have two domiciles at the same time. The domicile of the Deceased is important because it determines the applicable law regulating to whom the Grant is to be issued as well as how the estate is to be distributed.

- 11.7. How can I prove that the Deceased died domiciled in Hong Kong?

By way of practice, the Probate Registry usually accepts that the Deceased died domiciled in Hong Kong if he (a) died in Hong Kong and (b) had a Hong Kong Permanent Identity

Card. However, if it is not the case, for example, he died in the Mainland/overseas or that his stay in Hong Kong was limited by the Immigration Department, you shall file an affidavit (preferably prepared by the Deceased's surviving spouse or a member of the family) dealing with the following matters:

- (i) where the Deceased's home was, and the form of residence (e.g. whether it was a rented or owned property);
- (ii) the length of the Deceased's stay in Hong Kong, and whether the Deceased had any intention to reside in Hong Kong permanently or for an indefinite period;
- (iii) where the Deceased's business, the bulk of his investments and assets were;
- (iv) where the Deceased's family and friends were; and
- (v) the place in which his papers and personal belongings were kept, his social habits, etc.

11.8. How do I know if someone has applied for and/or obtained the Grant of the Deceased?

To ascertain if the Grant for the estate of the Deceased has or has not been applied for and/or obtained, you may come to the Probate Registry to conduct a computer search (by inserting the name of the Deceased or file reference of the Probate Registry with the case prefix of "HCAG" or "HCCV"). It costs \$18 for each search.

Part XII

Funeral Expenses

- 12.1. What do I do if the Deceased left money in his bank account for his funeral expenses?

You should follow the procedures as set out in the relevant pamphlet issued by the Home Affairs Department to seek assistance.

- 12.2. What should I do if I have paid the funeral expenses for the Deceased who left an estate barely over such expenses?

You may apply to the Official Administrator for his assistance by summary administration to claim reimbursement of the funeral expenses if the estate meets the circumstances as per paragraph 3.3 above.

- 12.3. What happens to the unclaimed balance of an estate administered by the Official Administrator?

Any balance of the estate leaving unclaimed for 5 years thereafter will be transferred to the general revenue of the Government.

Part XIII

Authentication

13.1. What is authentication?

It is the process of proving that a foreign* public document is genuine.

13.2. Why does the Probate Registry ask me to authenticate the foreign public documents?

Each foreign public document serves a particular purpose. For example, a marriage certificate proves a valid marriage, a death certificate confirms the death of a person, and a birth certificate shows the identity of one's parents. However, different countries issue different public documents in different forms and languages. It is a common practice that a foreign public document can only be accepted if it is authenticated. The Probate Registry follows that practice.

13.3. How can I obtain authentication of a foreign public document?

- (a) For country or territory who has participated in the Hague Convention abolishing the requirement of legalization for foreign public documents, one step is required. You need to take the public document to the proper authority in that country or territory and obtain a Certificate of Apostille certifying the signatures and/or seal of the issuing authority.

* Within this booklet, "foreign" means countries and places other than Hong Kong.

(b) For country or territory who has not participated in the Hague Convention abolishing the requirement of legalization for foreign public documents, two steps are necessary. You need to:

(i) take the public document to the proper authority (or foreign ministry office, as the case may be) in that country or territory for a certification that the signature and/or seal of the issuing authority on the public document are/is true, and

(ii) pass that public document to the Chinese Embassy or Consulate in that country or territory for a second certification of the certification by the said proper authority (or foreign ministry office).

13.4. Which countries or territories have participated in the Hague Convention abolishing the requirement of legalization for foreign public documents?

Subject to changes from time to time, currently, they include Australia, Belgium, France, Germany, Greece, Hong Kong, Hungary, Italy, Japan, Macau, Mexico, Netherlands, Norway, Portugal, Republic of Korea, South Africa, Spain, Sweden, Switzerland, India, the United Kingdom of Great Britain and Northern Ireland as well as the United States of America. Please visit the website at <https://www.hcch.net/en/instruments/conventions/status-table/?cid=41> or check with the Probate Registry in case of doubt.

13.5. What about public documents issued by the authorities in the Mainland?

The established practice requires two steps to be taken.

You have to:

- (a) obtain a notarial certificate from the local notarial office, and
- (b) arrange to have that notarial certificate passed to the Ministry of Foreign Affairs of China for a certification that the signature and/or seal of the local notarial office are/is true.

13.6. Do I need to prepare for translation of the documents?

Both Chinese and English are official languages in Hong Kong. Therefore, any document which is not in either Chinese or English has to be translated.

13.7. Which one should I do first: authentication or translation?

Authentication is to be done on the original foreign public document and not the translation. Therefore, you shall do the authentication first, followed by translation of the authenticated foreign public document, if necessary.

Part XIV

Matters after issuance of Grant

14.1. After I have got the Grant, what should I do and what may happen afterwards?

To administer the estate of the Deceased, you shall obtain the Grant first. It is however just the beginning of the whole process. Administration should start immediately after the issuance of the Grant and is to be completed as soon as practicable. Brief steps of administration of an estate includes 4 major steps:

- (a) collecting and getting in all the assets of the estate;
- (b) paying off all the debts and liabilities of the estate;
- (c) distributing the net of the estate to all the beneficiaries of the estate according to the law (section 4 of the Intestates' Estates Ordinance (Cap.73) and / or instructions in the Will); and
- (d) preparing of a true and perfect inventory and account of the estate.

14.2. Does the Probate Registry help me to administer the estate?

It is the duty of the grantee(s) to administer the estate according to the law. With consensus from the beneficiaries, you may delegate the jobs or any part of them to professionals, like lawyers and accountants. However, it is not the role of the Probate Registry to help the grantee(s) to administer the estate and any staff thereof will not provide any such services.

14.3. What should I do if I have lost the Grant?

Grant is a court order and you shall keep it in good and safe custody. However, in the event that it has been somehow lost or misplaced, and the Grant is needed for administration of the estate or otherwise, you may apply for a Duplicate Grant in person or through a firm of solicitors in Hong Kong.

(a) For deaths before 11 February 2006, you shall first attend the Estate Duty Office of the Inland Revenue Department to apply for a certified copy of the estate duty clearance papers. Upon obtaining the certified copy, you shall attend the Probate Registry and file such application by way of an affidavit:

- (i) explaining how the Grant was lost and/or misplaced;
- (ii) providing reason(s) that a Duplicate Grant is necessary; and
- (iii) undertaking to the Court to return the Duplicate Grant to the Probate Registry if the “original” Grant is found later.

Furthermore, you have to apply for and file a certified copy of the Will (if any); and pay \$217 (\$145 for court fee and \$72 for engrossment fee).

(b) For deaths on or after 11 February 2006, you shall attend the Probate Registry directly and file such application by way of an affidavit:

- (i) explaining how the Grant was lost and/or misplaced;
- (ii) providing reason(s) that a Duplicate Grant is necessary; and
- (iii) undertaking to the Court to return the Duplicate Grant to the Probate Registry if the “original” Grant is found later.

Furthermore, you have to apply for and file a certified copy of the Schedule of Assets and Liabilities (including the Additional Schedule) and the Will (if any); and pay \$217 (\$145 for court fee and \$72 for engrossment fee).

14.4. What should I do if further assets and liabilities of the estate are discovered?

You shall apply to amend the Grant in person or through a firm of solicitors in Hong Kong.

(a) For deaths before 11 February 2006, you shall bring the original Grant with the documents showing the additional assets and liabilities to the Estate Duty Office of the Inland Revenue Department to apply to amend the estate duty clearance papers. The staff of the Probate Registry will inform you by letter after the Probate Registry has got the original Grant and estate duty clearance papers from the Estate Duty Office and the Grant file from the Public Records Office.

- (b) For deaths on or after 11 February 2006, you shall bring the original Grant with the documents showing the additional assets and liabilities to the Probate Registry to apply to amend the Schedule of Assets and Liabilities.

Subject to the payment of the relevant fee (if any), it usually takes about 4 to 8 weeks for the amendment to be done. However, if requisitions (including reasons why the additional assets and liabilities were not discovered earlier, requirement of top-up surety guarantee or amendment on the supporting affidavit, etc.) are raised by the Registrar, the processing time will take longer.

Part XV

Discovery by third parties

15.1. Can someone ask to inspect my application file and obtain copy documents therein?

- (a) If the application is still being processed and no Grant has been issued, inspection will be allowed if your written consent is produced.
- (b) If the application has been completed and Grant has been issued, inspection will not be allowed unless:
 - (i) your written consent is produced; or
 - (ii) the Registrar is satisfied that good reason(s) has been shown, for example, the requesting party is one of the beneficiaries of the estate and is making enquiries of the estate.

However, save and except the provision of a copy of the Grant (which by nature is a public document), no inspection will be allowed if parties have been litigating with each other and discovery should be done within the legal proceedings between the parties.

Part XVI

Caveat

16.1. What is “Caveat”?

Caveat may be understood as a notice entered at the Probate Registry against the issuance of a Grant to the estate of the Deceased without informing the Caveator, the person who entered the Caveat. The Registrar is not allowed to issue the Grant if there is an effective Caveat against the estate of the Deceased. A Caveat remains in force for 6 months from the date of its entering, and can be further entered.

16.2. What should I do if someone has entered a Caveat against the estate of the Deceased?

The Probate Registry only process non-contentious applications for Grant. If the application has become “contentious”, the contention must be resolved first. In theory, the entering of a Caveat can be contentious. Depending on the circumstances, you may consider:

- (a) contact and negotiate with the Caveator to resolve the matter. The Caveator may file a “Withdrawal of Caveat” (Specified Form C1.2) if parties have come to an agreement and the Probate Registry will then revive processing your application for Grant upon your request / notification, and/or
- (b) rule 44 of the Non-Contentious Probate Rules (Cap.10A) regulates the conduct of parties. Very briefly, it includes the following basic steps:

- (i) You may issue a court document “Warning to Caveator” (Specified Form C1.3) against the Caveator. You then become the “Person Warning”.
- (ii) Upon being warned, the Caveator may withdraw the Caveat or enter an “Appearance to Warning” (Specified Form C1.4) to respond to your Warning.
- (iii) Depending on the circumstances, parties should then take out appropriate application by “Summons” to call for a short hearing before the Registrar for directions/orders.

16.3. What is “Caveat proceedings”?

Caveat proceedings start at the time when a Caveat was entered with the Probate Registry against an estate of a Deceased. It bears the case prefix of “HCCA”. It must be borne in mind that Caveat proceedings is by its nature “contentious” and can well be the beginning of “litigation”. Any step taken by you to enter a Caveat, a Warning, an Appearance and a Summons could cause legal consequences, including costs. You should therefore seek independent legal advice before taking any step as such.

Part XVII

Performance Pledges

- 17.1. If the Public Application Section of the Probate Registry has assisted me to submit the application, when will I get the Grant?

It takes about 5 weeks upon payment of all court fees and when all requisitions have been complied with.

- 17.2. If I have instructed a solicitor to help me, how will the application be processed?

The Probate Registry agrees to:

- (a) send letter of requisitions, if any, to your solicitor within 28 working days after the application has been filed, and
- (b) issue the Grant within 28 working days upon payment of all court fees and when all requisitions have been complied with.

- 17.3. Will the Probate Registry answer my letter?

The Probate Registry always tries to give immediate reply to any inquiry from the members of the public. In case that it is not possible to do so, an interim reply will be given within 10 days and, a full response within 30 days upon receipt of your letter.

Part XVIII

Office Hours and Appointment System

18.1. What are the office hours of the Probate Registry?

Monday to Friday 8:45 a.m. to 1:00 p.m.

2:00 p.m. to 5:30 p.m.

(Closed on Saturdays, Sundays and Public Holidays)

18.2. Do I have to make a prior appointment before attending the Public Application Section of the Probate Registry?

(a) For the purpose of making general enquiry, you need not make any prior appointment. You may also do so through our enquiry hotline at 2840 1683.

(b) However, if you wish to be assisted by the Public Application Section in your application for Grant, you may make an appointment with our processing officer through:

(i) the hotline 2840 1683 during office hours; or

(ii) personal attendance at the Probate Registry
(Address: LG3, High Court Building, 38 Queensway, Hong Kong); or

(iii) the website of the Judiciary

(https://www.judiciary.hk/en/court_services_facilities/probate_booking.html).

(The online appointment can only be offered where

- (1) the deceased died in Hong Kong without leaving a Will; and
- (2) the deceased was a permanent Hong Kong Resident; and
- (3) the applicant is the surviving spouse / child / father or mother of the deceased, as the case may be; and
- (4) the application seems simple and straightforward and the nature of the estate is not complicated; and
- (5) the applicant is mentally and physically capable of handling the procedural matters in relation to an application for Grant; and
- (6) all supporting documents must be issued by Hong Kong authorities.)

18.3. Do I have to make a prior appointment before attending the Probate Registry to apply to amend the Grant?

If you wish to apply for the amendment by yourself (instead of engaging a firm of solicitors), you shall make an appointment with our processing officer through:

- (i) the hotline 2840 1683 during office hours; or
- (ii) personal attendance at the Probate Registry (Address: LG3, High Court Building, 38 Queensway, Hong Kong);
or

(iii) the website of the Judiciary

(<https://eas.judiciary.hk/pramd/book/en/>).

(The online appointment can only be offered where

(1) the Deceased died on or after 11 February 2006; and

(2) the original Grant is in the possession of the grantee(s);
and

(3) the Grant was issued without any limitation; and

(4) Guarantee is not required; and

(5) the application for amendment of Grant seems simple
and straightforward and the nature of the estate is not
complicated.)

18.4. What are the arrangements of the Probate Registry when Tropical Cyclone Signal No. 8 or above, or where applicable the “extreme condition” announcement or the Black Rainstorm Warning Signal is issued?

(i) Please take notice of the announcements of the Judiciary through radio, television or other media. You may also call us at your earliest convenience to reschedule the appointment if necessary.

(ii) Please visit the Judiciary website at (<https://www.judiciary.hk/>) for information.

Part XIX

Means of Contact

19.1. Where is the Probate Registry?

It is located at LG3, High Court Building, 38 Queensway, Hong Kong.

19.2. What is the telephone number of the Probate Registry?

It is 2840 1683.

19.3. What is its facsimile number?

It is 2524 7737.

19.4. What is the website address?

Please visit the Judiciary website at <https://www.judiciary.hk/>.

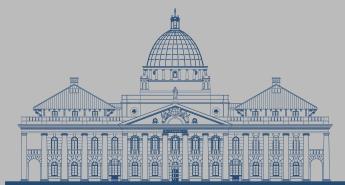
19.5. What should I do if I have comments on the Probate Registry?

We always welcome suggestions and appraisals. You may wish to send them to the Judiciary Administrator by letter addressed to the G/F, High Court Building, 38 Queensway, Hong Kong. Please also do not hesitate to contact the Probate Registry if you have any query.

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