

PROBATE (JERSEY) LAW 1998

ARTICLE 19B APPLICATION TO PARTICULAR HOLDER TO RELEASE MOVEABLE ESTATE

USING THIS APPLICATION FORM

This form should be completed to request a particular holder (i.e. Care home manager, chief nurse or delegate or social housing manager etc) to release a person's moveable estate without a grant of probate or administration being in place.

Moveable estate refers to personal property such as money, jewellery, clothes, vehicles, furniture and paintings. It may be a single item (for example – a watch or cash in a bank account) or it may be multiple items (for example – all the possessions in the deceased persons room in a care home).

You can only use this form if the gross value of the deceased's worldwide moveable estate does not exceed £30,000 and the value of the moveable estate held by the holder does not exceed £30,000.

The person requesting the item(s) ("the applicant") and the particular holder ("the holder") are advised to keep a copy of the signed application form for at least one year and one day after the date of death. The distribution of the estate of the deceased can be open to challenge during that period.

The applicant must check, and confirm to the holder, that there is no caveat in place before the moveable estate is given to them. This can be done by checking the caveats listed on the Government of Jersey website or on the physical notice posted outside the Royal Court Building in Jersey.

The applicant should only complete this form if they are entitled to receive the moveable estate of the person who has died either:

- Under the terms of the will of the person who has died, OR
- Under the laws relating to intestate succession in the place in which the deceased was domiciled at the time of death.

Intestate succession means the rules that govern how a deceased persons estate is distributed amongst family members where that person did not have a valid will in place.

Domicile means the country that a person treats as their permanent home or where they live and have a substantial connection with. An individual may have died in Jersey, however their domicile may be a different country or jurisdiction.

This application is made under Article 19B of the Probate (Jersey) Law 1998.

A person who makes a statement in this application form which they know or believe to be false in any material particular commits an offence and is liable to imprisonment for a term of 12 months and to a fine.

DETAILS OF THE PERSON WHO HAS DIED

FIRST NAME AND MIDDLE NAME/S		DATE OF DEATH	
SURNAME		PLACE OF DEATH	
PLACE OF DOMICILE			

DETAILS OF THE PERSON REQUESTING THE ITEMS ("THE APPLICANT")

FIRST NAME AND MIDDLE NAME/S		ADDRESS	
SURNAME			
TELEPHONE			
RELATIONSHIP TO DECEASED		EMAIL	

You must present the holder with proof of identity as part of the application

Warning: it is an offence, punishable by a fine and imprisonment, knowingly to make or cause to be made any false declaration under Article 19F of the Probate (Jersey) Law 1998

DETAILS OF ITEMS

DESCRIPTION OF ITEMS	
LOCATION	
TOTAL VALUE	

DETAILS OF THE PERSON HOLDING THE ITEMS ("THE HOLDER")

FIRST NAME AND MIDDLE NAME/S		ADDRESS	
SURNAME			
COMPANY NAME			
TELEPHONE		EMAIL	

PROBATE (JERSEY) LAW 1998**Request and declaration to be made under Article 19B**

It is an offence, punishable by a fine and imprisonment, to knowingly to make or cause to be made any false declaration under Article 19F of the Probate (Jersey) Law 1998

DECLARATIONS BY APPLICANT

I declare that:

- a. The person who has died was the owner of the item(s) that I am requesting be released to me
- b. The gross value of all the moveable estate of the person who has died does not exceed £30,000. This includes items held by the holder plus any moveable estate anywhere else in Jersey or in any other jurisdiction
- c. I understand and acknowledge that the holder is not liable to any other person for the items they release to me. I agree to indemnify and keep indemnified the holder against all demands, claims, liabilities, losses, charges and expense which may arise as a result of the holder releasing the items to me
- d. I am entitled to receive the moveable estate of the person who has died either:
 - Under the terms of the will of the person who has died, OR
 - Under the laws relating to intestate succession in the place in which the deceased was considered domiciled

Note: intestate succession means the rules that govern how the deceased's estate is distributed amongst family members if they did not have a valid will in place

- e. There is no caveat in force in respect of the estate of the person who has died
- f. The information I have provided in this application form, and the declaration I have made, is correct to the best of my knowledge.

Signature of applicant

Printed name of applicant

Date of signing

Warning: it is an offence, punishable by a fine and imprisonment, knowingly to make or cause to be made any false declaration under Article 19F of the Probate (Jersey) Law 1998

DECLARATIONS BY HOLDER

I declare that:

- a. I have checked the identification of the applicant
- b. The item(s) as described, is / are the entirety of the deceased's moveable estate, that I hold
- c. To the best of my knowledge the relationship of the applicant to the person who has died is as described above and, therefore, it appears to me that the applicant is entitled to receive the items
- d. The description of the item(s) as set out above is / are correct and it appears to me that the total value of the item(s) does not exceed more than £30,000.

Advice to holder: you are advised to keep a copy of this signed form for at least one year and one day after the date of death. The distribution of the estate of a deceased person can be open to challenge during that period.

Signature of holder

Printed name of holder

Date of signing

Warning: it is an offence, punishable by a fine and imprisonment, knowingly to make or cause to be made any false declaration under Article 19F of the Probate (Jersey) Law 1998