

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY I. GARDINER OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 20th OCTOBER 2020**

Question

Will the Chief Minister advise whether, in the administration of the Probate (Jersey) Law 1998, next of kin who cannot afford to apply for a Grant of Probate are unable to access the Co-op dividends of their deceased relative; and, if so, and given that those affected are likely to be the poorest in society, is it the Chief Minister's assessment that the Law should be amended so that dividends under the value of £1,000 can be released without any requirement to apply for a Grant of Probate?

Answer

Currently, in order to access the movable property of a deceased person, a grant of probate (where there is a will) or a grant of administration (where there is an intestacy) is required under the provisions of the Probate (Jersey) Law 1998. The reason for this is to prevent fraudulent activity. However, it is recognised that this causes difficulties in some cases and work is in progress to consider certain amendments to the Law which would put in place an exemption for small estates. Unfortunately, this work has had to be rescheduled due to competing priorities and the Covid-19 pandemic. Constable Richard Buchanan, Assistant Chief Minister, and the Legislative Advisory Panel will be liaising to consider this further.