

Documents Required for Administering an estate

- Original Death Certificate
- Identification Card/ Passport (ID)
- Original Marriage Certificate
- Original Birth Certificates for all children
- Original Birth Certificates for the siblings (if the deceased had no children)

Assets/Items owned by the deceased

- Original Transport/Title/Lease for land (current valuation and valuation as of date of death)
- Original Vehicle Registration (current valuation and valuation as of death)
- Bank Statement/Bank Book/Account No. Etc.
- Share (s) certificate (if any)
- Original Funeral Receipt (s)
- Original Act of Renunciation if needed (must be registered at the Deeds Registry) Will (if any)
- Witness Affidavit
- Pay slip from place of employment.

Fees

- Admin Expense \$4,000.00
- Bank Statement
 - Republic Bank \$5,000.00
 - GBTI \$3,000.00
 - NBS \$1,000.00
- Compliance tax (0.5%)
- Public Trustee Fee (8% of the first \$10,000.00 and 5% of the remainder) if estate has liquid asset/ cash
- Applications for Letters of Administration \$3,500.00

When is an affidavit required?

Affidavit of identity

This affidavit is usually required to provide justification for several names or aliases all belonging to the one and same person.

Affidavit of lost receipt

This affidavit is required when the family of the deceased cannot locate the receipt for the funeral or any other expenses to make claims.

Witness affidavit

This affidavit is used when the deceased died leaving a will. The witnesses who signed the will are required to sign this affidavit or sign at the court.

Certificate of value

This document is provided by a proper officer and is an accurate valuation of an asset in an estate as at the date of death of the deceased as well as the current market value. It is used in cases where the estate includes land/ immovable property and motor vehicles.

CONTACT US TODAY

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Office of the Public Trustee/ Official Receiver

A helpful guide on dealing with estates in Guyana.

About Us

The office of the Public Trustee/Official Receiver administers estates of deceased persons. In some events, deceased persons die without leaving a will, that means they've died intestate. When they do die leaving a will, an executor is appointed. In either circumstance the Office of the Public Trustee/Official Receiver can assist you. The information in this brochure will guide you through the process of administering an estate.

Who is entitled to apply to the Court for a Grant of Probate or Letters of Administration?

- The Executor/Executrix appointed in the Will of the deceased is entitled to apply for a Grant of Probate.
- A Grant of Probate or Letters of Administration are made upon the application of the intended Executor/ Executrix or Administrator/ Administratrix to the High Court.
- The grant of Letters of Administration is issued to relatives of the deceased in order of their entitlement to the assets of the estate (i.e. sibling, parents and so on).
- A Creditor of the deceased in some cases may be allowed to apply for Letters of Administration to facilitate the settling of debts owed by the deceased to the creditor.

Who is entitled to inherit assets under the rules of intestacy?

- In Guyana, under the rules of intestacy, which means that the deceased died without making a Will, the provisions of the **Civil Law of Guyana Act Chapter 6:01** directs that the surviving spouse is entitled to one-third of the assets of the estate, while the remaining two –thirds of the estate goes to the children of the deceased.
- The Civil Law of Guyana (Amendment) Act No. 12 of 2021, provides that , "if there are no descendants, the widow or widower shall take the whole estate."
- If the deceased dies without issue or having had no children, then the estate is inherited by the kin in succession.
- If the deceased died leaving assets and no kin, then the assets goes to the State.



Funeral Expenses

Reasonable funeral expenses are payable out of the deceased person estate. Upon the death of a person, an application may be made to the Public Trustee for the expenses to be paid out of the deceased's bank account. To make the application the following documents are required;

- The death certificate or death registration.
- An invoice from the funeral home
- Identification of the deceased and the applicant.
- The Bank Statement or proof of Account.

Minors Accounts

- Minors' accounts are created by the Public Trustee when the monies from an estate that has been administered or processed by the office becomes payable to an individual under the age of 18.
- An interest-bearing account is then established at a commercial bank in the name of the minor and this account remains in the care of the Public Trustee until he/she turns 18.
- Once the minor turns 18 the account is closed and proceeds are paid over in full to the beneficiary.
- In cases where monies are needed for the maintenance of the minor, the Public Trustee at his/her discretion writes to the bank requesting a debit of the account held in the name of the minor and a cheque is then made payable for the purpose stated.