

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER T65

TRUST COMPANY PROBATE AND ADMINISTRATION ACT

Showing the Law as at 15 December 2000

Published by Authority

Printed in
The Attorney General's Chambers
ANGUILLA

© Government of Anguilla

All rights reserved. No part of this publication may be reproduced in any form or by any means (including photocopying) without the written permission of the Government of Anguilla except as permitted by the Copyright Act or under the terms of a licence from the Government of Anguilla.

TRUST COMPANY PROBATE AND ADMINISTRATION ACT

Interpretation

1. In this Act—

"administration" means letters of administration of the estate of a deceased person, whether general or limited, or with the will annexed or otherwise;

"Court" means the High Court;

"probate" means the probate of a will;

"trust company" means the holder of a trust company licence under the Trust Companies and Offshore Banking Act.

Power to grant representation to a trust company

2. (1) The Court may—

(a) where a trust company is named in a will as executor, whether alone or jointly with another person, grant probate to the trust company either solely or jointly with another person, as the case may require; and

(b) grant administration to a trust company either solely or jointly with another person;

and the trust company may act accordingly as executor or administrator, as the case may be.

(2) Probate or administration shall not be granted to a syndic or nominee on behalf of a trust company.

(3) Any officer authorised for the purpose by a trust company or the directors or governing body thereof may, on behalf of the trust company, swear affidavits, give security and do any other act or thing which the Court may require with a view to the grant to the trust company of probate or administration, and the acts of an officer so authorised shall be binding on the trust company.

(4) Where, on 23rd December, 1947, any interest in any estate is vested in a syndic on behalf of a trust company acting as the personal representative of a deceased person, the interest shall, by virtue of this Act, vest in the trust company in respect of the interest. This subsection shall not apply to securities registered or inscribed in the name of a syndic, but any such securities shall be granted or transferred by the syndic to the trust company or as the trust company may direct.

(5) No such vesting, grant or transfer as aforesaid shall operate as a breach of a covenant or condition against alienation or give rise to a forfeiture.

Citation

3. This Act may be cited as the Trust Company Probate and Administration Act, Revised Statutes of Anguilla, Chapter T65.

———————