

Deceased Estate Requirements

Individual Holding - Checklist	
Where Probate HAS been granted. Does the value of the securities as at the date of death or the current value, whichever is the greater, exceed the threshold? If so, you will need the following.	
	Originally certified copy of Probate
	Section 1071 B Statement form
	Originally certified copy of South Australian Section 121 A Certificate (if the Probate has been granted in the State of South Australia)
	Transmission Application
	Standard Transfer form(s) and/or
	Originally certified copy of executors/administrators ID documents.
If the Deceased DID NOT leave a valid Will (Intestacy). Does the value of the securities as at the date of death or current value, whichever is the greater, exceed the threshold? If so, you will need the following.	
	Originally certified copy of Letters of Administration
	Section 1071 B Statement form
	Originally certified copy of South Australian Section 121 A Certificate (if the Letters of Administration has been granted in the State of South Australia)
	Transmission Application
	Standard Transfer form(s) and/or
	Originally certified copy of executors/administrators ID documents.
Where Letters of Administration HAVE NOT been granted. Is the value of the securities as at the date of death or current value, whichever is the greater, less than the threshold? If so, you will need the following.	
	Originally certified copy of the Death Certificate
	Statutory Declaration and Indemnity Next of Kin form
	Small Estate Statement and Indemnity form
	Standard Transfer form(s) and/or
	Originally certified copy of executors/administrators ID documents.

Individual Holding - Checklist for Overseas Holders	
Where a foreign (non-Australian) Probate HAS been granted. Does the value of the securities as at the date of death or the current value, whichever is the greater, exceed the threshold? If so, you will need the following.	
	A certified copy of the foreign Probate re-sealed in an Australian Supreme Court (See note below regarding re-seal of Probate).
	Originally certified copy of executors/administrators ID documents.
If a foreign (non-Australian) Probate HAS NOT been granted. Does the value of the securities as at the date of death or current value, whichever is the greater, exceed the threshold? If so, you will need the following.	
	A certified copy of Probate, granted in an Australian Supreme Court.
	Section 1071 B Statement form.
	A certified copy of South Australian Section 121 A Certificate (if the Letters of Administration has been granted in the State of South Australia).
	Originally certified copy of executors/administrators ID documents.
If a foreign (non-Australian) Probate HAS been granted. Is the value of the securities as at the date of death or current value, whichever is the greater, less than the threshold? If so, you will need the following.	
	A certified copy of the foreign Probate.
	Small Estate Statement and Indemnity form.
	Originally certified copy of executors/administrators ID documents.
If Probate HAS NOT been granted. Is the value of the securities as at the date of death or current value, whichever is the greater, less than the threshold? If so, you will need the following.	
	A certified copy of the Death Certificate.
	A certified copy of the Will.
	Small Estate Statement and Indemnity form
	Originally certified copy of executors/administrators ID documents.
If the Deceased DID NOT leave a valid Will (Intestacy). Does the value of the securities as at the date of death or current value, whichever is the greater, exceed the threshold? If so, you will need the following.	
	A certified copy of the foreign Letters of Administration re-sealed in an Australian Supreme Court. (See note below regarding re-seal of Letters of Administration).
	Section 1071 B Statement form.
	A certified copy of South Australian Section 121 A Certificate (if the Letters of Administration has been granted in the State of South Australia).
	Originally certified copy of executors/administrators ID documents.
If the Deceased DID NOT leave a valid Will (Intestacy). Is the value of the securities as at the date of death or current value, whichever is the greater, less than the threshold? If so, you will need the following.	
	A certified copy of the Death Certificate.
	Statutory Declaration and Indemnity Next of Kin form.
	Small Estate Statement and Indemnity form.
	Originally certified copy of executors/administrators ID documents.

Note regarding re-seal of overseas Probate or Letters of Administration in Australia

Re-seal of Probate is acceptable only when the original overseas Probate has been granted in a Commonwealth country. If the original foreign Probate has not been granted in a Commonwealth country, a FULL Australian grant must be obtained.

Notes:

Probate granted in a Commonwealth country

Link requires that Probate to be re-sealed through an Australian Supreme Court in the jurisdiction of the securities or a Transfer Indemnity Bond.

Probate granted in a non Commonwealth country

Link requires a FULL grant of Probate to be applied for through an Australian Supreme Court in the jurisdiction of the securities or a Transfer Indemnity Bond.

Acceptable holders

Only a legal entity is permitted to be registered as a holder of securities. A legal entity is an individual person, a body incorporated under the Australian Corporations Act or overseas equivalent or under an Australian or overseas Act of Parliament.

Holdings may be registered in the name of a person or in the joint names of persons or incorporated bodies. Holdings must NOT be registered in the names of a firm, a business name, a partnership, a deceased person, an unincorporated fund or trust. The registered holder is the legal owner of the securities.

Registration of more than three persons as joint holders is not accepted unless provided for under the Issuer's Constitution or except in the case of Executors of a deceased holder.

Definitions:

Originally Certified Copy - is a copy of the original document certified to be a true and correct copy of the original by an authorised person who can witness a Statutory Declaration such as a Justice of the Peace, Chartered Accountant, Police officer etc. A full signatory list of persons who can certify documents can be found at www.ag.gov.au/statdec.

Death Certificate - a legal document issued by the Registrar of Births, Deaths and Marriages. This is not the same as a 'Medical Certificate as to the Cause of Death', which is not acceptable as a supporting document.

Will - a legal document setting out the wishes of the deceased for the distribution of their assets.

Intestacy - a term used to describe the situation where a person has died without leaving a valid Will.

Grant of Probate - an official court document stating that the Will is legally valid, and the named Executor(s) of the Will has the authority to administer the estate.

Letters of Administration - an official court document issued where there is no Will, appointing an Administrator to administer the estate of the deceased, similar to an Executor.

Threshold - The threshold value amount is \$15,000. However, some Issuers may elect to establish a higher amount as the threshold.

Transmission Application - The form used to transmit the securities to the names of the Executor(s)/Administrator(s) of an estate. An account designation eg <Estate late [name of deceased]> is added. The account designation does not form part of the registered name. It is not necessary to transmit the securities to the Executor(s)/Administrator(s) prior to a transfer of securities to the Beneficiary(s).

Standard Transfer form - The form used to transfer the securities from the estate holding to the Beneficiaries named in the Will. If there is more than one Beneficiary if the deceased held securities in more than one share company then separate transfer forms are required for each Beneficiary and each a share company. If there is more than one Beneficiary and they want to hold the securities in joint names, then only one transfer form is required. However, separate forms are still required if the securities are held in more than one share company.

Section 1071 B Statement - a statement prescribed by Section 1071 B of the *Corporations Act 2001*. It is required where a grant of Probate or Letters of Administration has been granted or re-sealed in a State or Territory other than where the securities are registered.

Small Estate Statement and Indemnity - used when it is not intended to apply for a grant of Probate or Letters of Administration because of the small value of the Australian assets of the estate when the market value of the securities as at the date of death or current market value whichever is greater, is less than the threshold.

South Australian Section 121A Registrar's Certificate prescribed by the *Administration and Probate Act 1919* - applies only to Probate or Letters of Administration granted in the State of South Australia. An Executor or Administrator is required to disclose to the Court any assets and liabilities of the deceased person.

Deceased Estate Requirements	
Joint Holding - Checklist	
	Originally certified copy of the Death Certificate
	Request for Transmission - Surviving Joint Holder(s) form

Notes:

Joint holdings - are held as joint tenants. The *Corporations Act 2001* recognises only the surviving joint holder as being entitled to the deceased securityholder's interest in the securities.

Definitions:

Death Certificate - A legal document issued by the Registrar of Births, Deaths and Marriages. This is not the same as a 'Medical Certificate as to the Cause of Death', which is not acceptable as a supporting document.

Request for Transmission - Surviving Joint Holder form - The form used to transmit the securities to the surviving joint holder(s) only.

Originally Certified Copy - is a copy of the original document certified to be a true and correct copy of the original by an authorised person who can witness a Statutory Declaration such as a Justice of the Peace, Chartered Accountant, Police officer etc. A full signatory list of persons who can certify documents can be found at www.ag.gov.au/statdec.