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OF GUYANA

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THE OFFICIAL GAZETTE 9TH AUGUST, 2024
LEGAL SUPPLEMENT — C

BILL No. 14 of 2024

Friday 9th August, 2024

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

9th August, 2024.

The following Bill which will be introduced in the National Assembly is published for general information.

S.E. Isaacs,
Clerk of the National Assembly.

GUYANA

BILL No. 14 of 2024

DECEASED PERSONS ESTATES' ADMINISTRATION (AMENDMENT) BILL 2024

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Amendment of section 20 of the Principal Act.

A BILL

Intituled

AN ACT to amend the Deceased Persons Estates' Administration Act.

A.D. 2024 Enacted by the Parliament of Guyana:-

Short title.

1. This Act, which amends the Deceased Persons Estates' Administration Act may be cited as the Deceased Persons Estates' Administration (Amendment) Act 2024.

Amendment of section 20 of the Principal Act.

2. Section 20 of the Principal Act is amended by the substitution for that section of the following –

Procedure to obtain money deposited or owed to deceased person.

20. (1) Notwithstanding the provisions of this Act, a person may pay to a claimant a sum of money not exceeding seven hundred and fifty thousand dollars from monies to which the deceased is entitled or from monies held by that person for the deceased –

(a) in the absence of a grant of letters of administration or probate; and

(b) upon the application in writing by the surviving spouse or, heir on intestacy of the deceased, stating that the deceased died intestate or in the case where the deceased died testate, the executor.

(2) In the case under subsection (1), the person may call for any proof as to identity or such other evidence of verification in accordance with subsection (1) as the person may think fit.

(3) Where any sum is paid to a claimant under subsection (1), a receipt from the claimant shall be a legal, valid and effectual discharge to the person for the sum of money received.

(4) The payment of any sum in accordance with subsection (1) shall not affect any claim against the estate of the deceased person and the person who is making the payment shall not be liable in respect of any claim in connection with the payment made in accordance with this section.

(5) For the purposes of this section –

(a) "person" includes but is not limited to any body of persons corporate or unincorporate, any financial institution or national insurance body, and includes the State; and

(b) "financial institution" has the same meaning assigned to it under Financial Institutions Act.

Explanatory Memorandum

This Bill seeks to amend the Deceased Persons Estates' Administration Act, Cap. 12:01.

Section 20 of the Deceased Persons Estates' Administration Act is amended by the substitution of that section to provide that in the absence of letters of administration, a person may pay to a claimant, money deposited by the deceased person with the person or money owed by the person to the deceased person, a sum not exceeding seven hundred and fifty thousand dollars. The person with whom the money was deposited by the deceased person or by whom money was owed to the deceased person includes but is not limited to any individual, any body of persons corporate or unincorporate, any financial institution or national insurance body, and includes the State.

This amendment allows access to sums of money that are payable to a deceased person by any person.

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Hon. Mohabir Anil Nandlall, SC, MP
Attorney General and Minister of Legal Affairs