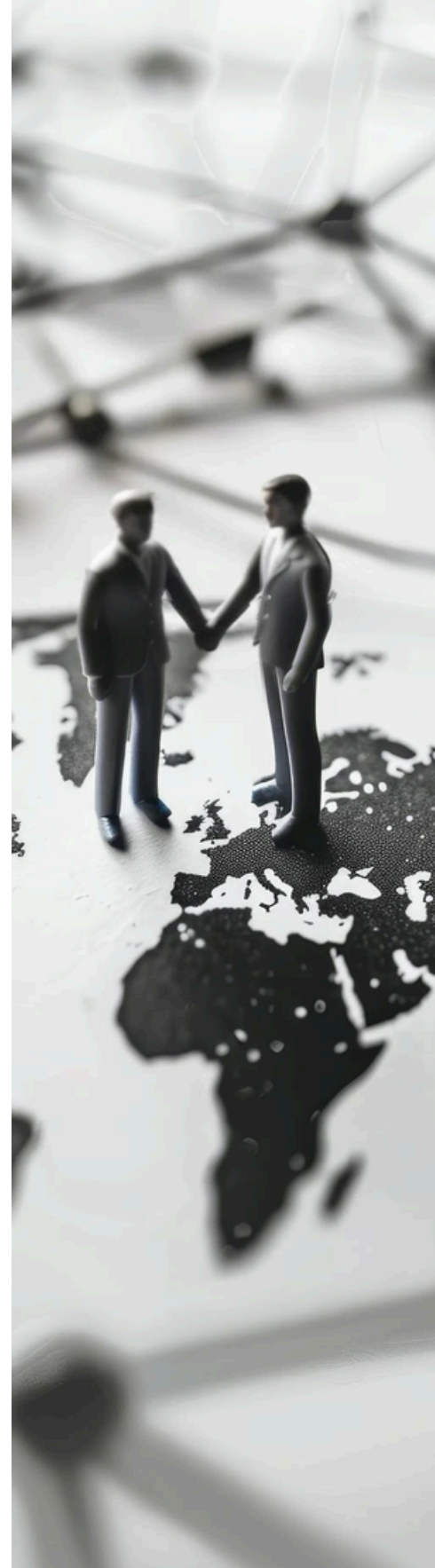




Guide to Resealing Grants of Probate in Jersey and Abroad



PRACTICAL SUPPORT AND CLEAR
GUIDANCE DURING A DIFFICULT TIME

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Introduction

When a person passes away and leaves behind assets in different countries, it is often essential for a probate grant issued in one country to be recognized in another.

This process, known as resealing, allows executors or administrators to handle and distribute foreign assets without needing to apply for a separate grant in each country.

As requirements differ between jurisdictions, coordination with local professionals is often necessary to ensure that applications meet relevant legal and procedural standards.



Understanding Resealing of Probate

Resealing is the process of obtaining formal recognition of an existing grant of probate (or equivalent) in another jurisdiction.

It is typically available in common law jurisdictions with reciprocal recognition frameworks, including many Commonwealth countries. Once resealed, the executor or administrator is authorised to deal with assets in that jurisdiction in the same capacity as under the original grant.

General Process for Resealing Probate Abroad

CONFIRM APPLICABILITY

Resealing is not available in all jurisdictions. It is generally limited to countries with compatible legal systems or reciprocal arrangements.

VERIFY LOCAL REQUIREMENTS

Requirements vary by jurisdiction but commonly include:

- The original grant of probate or a court-certified copy
- A certified copy of the will
- Death certificate
- Local probate application forms
- Payment of applicable court fees

Additional requirements, such as translations or legalisation, may apply depending on the jurisdiction.

SUBMIT THE APPLICATION

The application is submitted to the relevant probate authority in the foreign jurisdiction.

The applicant must demonstrate the validity of the original grant and comply with any local procedural or tax requirements before the grant can be resealed.

Required Documentation Overview

While requirements differ between jurisdictions, the following documents are typically required:

- Grant of Probate / Letters of Administration – to confirm legal authority
- Will – to evidence testamentary instructions
- Death Certificate – to confirm the death of the individual
- Application Forms – specific to the local probate registry
- Supporting Documents – including identification, affidavits, and asset valuations

DOCUMENTS MAY NEED TO BE CERTIFIED, TRANSLATED, OR APOSTILLED, DEPENDING ON THE JURISDICTION.



Resealing Probate in Jersey

As a Crown Dependency, Jersey operates its own probate system and does not automatically recognise UK grants of probate.

Where assets in Jersey exceed £10,000, a grant must be resealed or a new application made through the Probate Division of the Royal Court of Jersey.

PROCEDURE

01 PREPARE REQUIRED DOCUMENTS

- Original grant of probate or letters of administration
- Certified copy of the will
- Original death certificate or court-certified copy
- Affidavit confirming the executor's authority
- Valuation of Jersey-based assets

02 SUBMIT THE APPLICATION

Documents are filed with the Probate Registry, together with the applicable fees based on the value of Jersey assets.

03 ADDRESS TAX REQUIREMENTS

- Confirm whether any local tax obligations apply
- Ensure accurate declaration of asset values

04 ISSUANCE OF RESEALED GRANT

Once approved, the resealed grant enables the executor to administer Jersey-based assets.

Resealing Probate in Hong Kong

Hong Kong allows resealing of foreign grants, subject to specific procedural requirements.

REQUIRED DOCUMENTS

- Original UK grant of probate
- Certified copy of the will
- Certified death certificate
- Proof of identity and address of the executor
- Completed application forms
- Affidavit confirming the validity of the foreign grant

PROCEDURE

01 OBTAIN APOSTILLE

The grant of probate and supporting documents must be apostilled through the UK Legalisation Office (FCDO) to confirm authenticity.

02 SUBMIT APPLICATION

All documents are submitted to the Hong Kong Probate Registry along with the completed forms.

03 FEES AND REVIEW

- Confirm whether any local tax obligations apply
- Ensure accurate declaration of asset values

04 ISSUANCE OF RESEALED GRANT

Once approved, the Hong Kong High Court issues a resealed grant, allowing administration of assets in Hong Kong.

Practical Considerations

RESEALING AND ALTERNATIVE OPTIONS

When dealing with cross-border estates, careful preparation can significantly reduce delays and complications.

Resealing requirements vary by jurisdiction, and the process often involves multiple authorities. Engaging professional support can help ensure that local rules are understood and applied correctly from the outset.

Documentation should be prepared thoroughly. In most cases, documents will need to be court-certified and, where required, apostilled and translated to meet local probate standards. Incomplete or incorrectly prepared documents are a common cause of delays.

It is also important to allow sufficient time for the resealing process. Timeframes can vary between jurisdictions and may be extended where further information, certified documents, or local probate requirements need to be satisfied.

Tax obligations should be considered early in the process. Executors may need to demonstrate compliance with applicable tax rules in both the originating and resealing jurisdictions before a grant can be recognised.

WHEN RESEALING IS NOT AVAILABLE

In some jurisdictions, resealing is not permitted. In these cases, a new grant of probate must be obtained locally.

This process is typically more complex than resealing and may involve additional documentation, formal applications, and local legal procedures. In many instances, local representation or professional assistance will be required to complete the process efficiently.

How Share Data Can Help

Managing probate across multiple jurisdictions can become highly complex, particularly when resealing is required to access or transfer assets.

At Share Data Ltd, we specialise in assisting executors, solicitors, accountants, brokers, and private individuals with cross-border estate administration. Our team oversees the resealing process, from initial eligibility checks to submission and completion, ensuring that foreign grants are recognised efficiently and comply with local court requirements.

We work directly with probate registries, legal professionals, registrars, and financial institutions to manage documentation, fulfil jurisdiction-specific requirements, and progress cases without unnecessary delays.

Through our extensive, legally informed global network, we are able to coordinate with trusted professionals across multiple jurisdictions, ensuring that local requirements are addressed accurately and efficiently from the outset.

WHERE RESEALING FORMS PART OF A WIDER ESTATE, WE ALSO SUPPORT:

- Verification and consolidation of international holdings
- Sale and transfer of UK and overseas shares
- Preparation and coordination of supporting documentation (including certification, apostille, and translation)
- Distribution of assets to beneficiaries

With experience across the UK, Channel Islands, and international jurisdictions, Share Data provides a single point of coordination for estates that span multiple countries, reducing administrative burden and helping move matters forward with clarity and control.

About Share Data

Established in 1995, Share Data provides high-quality valuation and estate administration services for professionals and private individuals. We specialise in tradeable securities in the UK and internationally, offering practical solutions during complex probate matters.



Contact Details

Contact us to discuss your circumstances or arrange a confidential consultation.



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