

# A SIMPLE GUIDE ON ADMINISTRATION OF INTESTATE ESTATES (WHERE THERE IS NO WILL)

Did you know that it is an offense to administer/manage/distribute an Estate without Letters of Administration?

How does one obtain Letters of Administration where a Person died without leaving a Will



1

Obtain a death certificate to confirm the death of the deceased intestate.



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A person presents an application to the court with the following documents:  
A death certificate, Minutes of a family meeting, certificate of no objection from the Administrator General's Office, Introduction Letter from the L.C.I, a list of beneficiaries of the estate of the deceased and a proof of payment of **6,000/=** which is paid in the bank.



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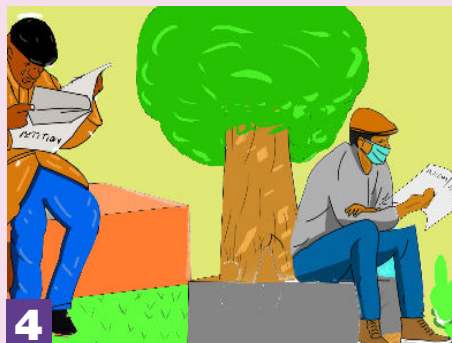
A person who has a reason as to why the petitioner should not be granted the Letters of Administration may lodge a Caveat in court



2

Hold a family meeting and decide on who could administer, manage, or distribute the estate. *(please note that an estate can have more than one administrator jointly administered).*

- Any person, 21 years old or above; of sound mind; and
- Is related to the deceased either by blood or by marriage.



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The notice of the petition is advertised in the newspapers for 14 days.  
Proof of the newspaper adverts must be filed in court



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If no caveat is lodged, then the petitioner will be granted Letters of Administration by Court.

## Where should a petition for Letters of Administration be filed?

- The petition should be filed in the court with jurisdiction (authority) where the property of the deceased is located.
- If the property of the deceased exceeds **50m shillings** then the petition must be filed in the High Court.
- If the property of the deceased does not exceed **50m shillings** then the petition may be filed in the Chief Magistrates Court.

## Roles of Administrator(s)

- List the properties, debts, debtors, credits, or creditors of the deceased person.
- Pay all debts owed by the deceased person
- Provide for the immediate needs of the beneficiaries.
- Keep the estate property from getting damaged or destroyed.
- Collect all money and income due to the estate.
- Keep proper records and accounts of all dealings concerning the estate.
- Transfer property to the beneficiaries under the law or in accordance with any agreement among the beneficiaries
- File an inventory and account to Court for all his or her dealings in the estate.

## The Office of the Administrator General

- The Office of Administrator General is created under Section 2 of the Administrator General's **Act Cap 157**.
- The Office of the Administrator General manages estates of deceased persons, who die without leaving a Will, or where a Will has been left but disputes arise in the management or distribution of the deceased person's property. **NOTE**
  - *The Administrator General is given the mandate to: a) administer estates, b) issue Certificates of No Objections, c) and to verify beneficiaries among other matters.*
- *At the District, Chief Administrative Officers (CAO), the Gombolola (Sub County) chiefs, and in Kampala - Division mayors act on behalf of the Administrator General.*
- *The Administrator General regional offices are located in; Mbarara, Arua, Mbale, Gulu, Moroto, Fort Portal, and Soroti.*

**NOTE** LOCAL COUNCIL COURTS (LCCs) have no powers to distribute property under a Will, but to protect the property of the deceased on behalf of his or her children