

# Form you use to release money from the account of a deceased person

(Balances less than €20,000)

## USE THIS FORM IN THE FOLLOWING SITUATIONS

- Someone has died and you want to release money held in a Bankinter account that belongs to them;
- The net value of the money held in Bank of Ireland at date of death is up to €20,000 but not more than that;
- No one who is tax resident outside the Republic of Ireland is to inherit money or assets worth €20,000 or more;
- You are named as executor in the will of the deceased or you are their next of kin if they did not leave a will.

## WHAT YOU NEED TO TELL US

- You need to tell us about the deceased (Section 1)
- You need to give us your contact details (Section 2)
- You need to check that you have all the documents you need to send us (if you have not already given them to us) by checking a list (Section 3)
- You need to have someone certify the copies of documents you send us and we explain how to do this (Section 4)
- You agree to the terms and conditions that apply and to be legally bound by them when signing this form (Section 5)

For example, you declare that you are the right person/people to sign the form because you are the executors or next of kin of the deceased; you declare you have given us accurate information (we will rely on that); you agree to indemnify (compensate) us if we lose or have to pay money because we obey your instruction to pay money that belongs to the deceased's estate or we rely on what you tell us in this form. If the deceased owes us money, you agree we can use money in the deceased's account with us to pay what they owe us. (Section 5)

- You need to give us the details of the account(s) you want us to close (Section 6)
- You need to give us the details of the account you want us to pay the money to (Section 7)
- You need to sign the form (Section 8).

## BEFORE YOU FILL IN THIS FORM

Make sure you are the right person/people to sign this form. If the deceased left a will, you must be named as executors in it and all of you must sign. If the deceased did not leave a will, you must be all the next of kin who can take out a Grant under Succession Law or you must represent them all with their written permission.

**This form is an important legal document. Please get independent legal advice. We strongly recommend you do this even if you do not intend to take out a Grant of Probate or Administration.**

**Tax law means you should (and, sometimes, must) instruct a solicitor if anyone who is tax resident outside the Republic of Ireland is to inherit money or assets worth €20,000 or more.**

**You should consider contacting the Probate Office. Their contact details are at [www.courts.ie](http://www.courts.ie).**

Please take time to fill in all sections of this form correctly using BLOCK CAPITALS. It will help us to work on your form more quickly and means we will be less likely to come back to you asking for more information.

**WARNING: BY SIGNING THIS FORM YOU ARE AGREEING TO COMPENSATE THE BANK FROM YOUR OWN RESOURCES FOR ANY LOSS IT SUFFERS BECAUSE IT ALLOWS YOU TO TAKE MONEY FROM THE ACCOUNT OF THE DECEASED EVEN THOUGH YOU DO NOT HAVE A GRANT OF PROBATE OR ADMINISTRATION. BEFORE YOU SIGN THIS FORM YOU SHOULD GET INDEPENDENT LEGAL ADVICE. YOU SHOULD ALSO CONSIDER CONTACTING THE PROBATE OFFICE.**

**SECTION 1 } DECEASED CUSTOMER'S DETAILS**

First name:*	<input type="text"/>	Surname:*	<input type="text"/>
Address:*	<input type="text"/> <input type="text"/>	Date Of Birth:*	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D M M Y Y
County:*	<input type="text"/>	Date Of Death:*	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D M M Y Y
Eircode:	<input type="text"/>		
Did the deceased customer make a will?*			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

\*Mandatory fields must be filled

**SECTION 2 } YOUR CONTACT DETAILS**

Please give us your contact details so we can contact you if we need to. If there is more than one of you, please agree amongst yourselves which of you will be our contact and write his or her details here:

Preferred contact name:*	<input type="text"/>
Preferred contact Phone No:*	<input type="text"/>
Preferred contact email address:*	<input type="text"/>

**SECTION 3 } A LIST OF DOCUMENTS YOU NEED TO GIVE US**

Please use this as a checklist to make sure you have everything we need:

- A certified copy of the proof of death (death certificate/coroner's certificate/interim certificate of fact of death)
- A copy of the will (if there is a will)
- For each person who signs this form: a certified copy proof of identity (current passport, driver's licence from Ireland or the UK) and proof of address (utility bill dated within last six months, current car/ house/social insurance document, current original tax free allowance certificate, pension book). We need this information so we can meet our legal duty under the law against money laundering and other crimes.

**SECTION 4 } HOW TO GET A COPY DOCUMENT CERTIFIED**

1. Photocopy the original document.
2. Bring the original and photocopy to someone who can certify the copy is correct.
3. The following people can certify the copy is correct: accountant, barrister, solicitor, bank or building society official, commissioner of oaths, notary public, justice of the peace, FCA-registered broker or introducer, or attorney-at-law.

**SECTION 5 } THE TERMS AND CONDITIONS OF THIS FORM**

By signing this form you (or each of you) agree and declare:

**5.1 INFORMATION TRUE AND ACCURATE**

You declare (a) that all the information given by you in this form is true, accurate and up to date and you acknowledge the Bank is relying on it; (b) the net value of the money of the deceased customer held in Bank of Ireland at date of death is €20,000 or less; (c) no one who is tax resident outside the Republic of Ireland is to inherit €20,000 or more; or assets of that value or more, from the estate of the deceased.

**5.2 WHY YOU ARE ENTITLED TO COMPLETE THIS FORM**

You are entitled to complete this form because:

- You are all the executors named in the deceased customer's will; or
- There is no will and you are all the next of kin entitled to take out a Grant under Succession Law; or
- There is no will and you are some of the next of kin entitled to take out a Grant under Succession Law; and all of the other next of kin who are entitled have permitted you to represent the estate of the deceased customer (you agree to give us written proof of this permission if we ask).

**SECTION 5 } THE TERMS AND CONDITIONS OF THIS FORM****5.3 DECLARATION THAT YOU ARE THOSE ENTITLED TO TAKE OUT A GRANT OR ALL THE NEXT OF KIN OF THE ESTATE****A IF THERE IS A WILL**

If the deceased customer made a will, you declare:

- 1.** The copy of the will you provide to the Bank with this form is the only will of the deceased customer (or, if not the only one, it is the last one).
- 2.** There is no codicil to that will (or, if there is a codicil, you enclose a copy of it).
- 3.** You are all of the people named in that will as executors (who are now alive)

**B IF THERE IS NO WILL**

If the deceased customer did not make a will, you declare:

- 1.** The deceased customer made no will.
- 2.** You are or represent all of the next-of-kin of the deceased customer; and under Succession Law only you and the other people you represent (and no-one else) are entitled to the entire of his or her estate.
- 3.** You are or represent all of the people who are entitled under Succession Law to take out a Grant.

**5.4 INDEMNITY**

You agree to indemnify and keep indemnified the Bank and its officers, employees and agents, against any and all demands, claims, liabilities, losses, damages, costs and expenses (including legal costs and expenses) which the Bank and its officers, employees and agents may incur or be put to by reason of (a) the payment of any monies from any account of the deceased customer requested by you in this form; or (b) relying on the information given by us in this form; or (c) enforcing or attempting to enforce this indemnity. This indemnity is given in consideration of the Bank obeying your instruction given in this form.

**5.5 AUTHORITY FOR PAYMENT**

- (a)** You instruct and authorise the Bank to pay monies in any account(s) of the deceased customer to the account set out in Section 7 of this form EVEN THOUGH you do not have a Grant.
- (b)** If the Bank has already paid any sum from an account of the deceased customer at the request of any of you, you ratify (now confirm you approve) each such payment.
- (c)** You instruct the Bank to close any account of the deceased customer with us once the Bank pays the moneys out under this form.
- (d)** You acknowledge that:
- (i)** the Bank is not obliged to obey this instruction (for example, if the Bank requires you to produce a Grant); and
  - (ii)** the terms and conditions concerning each account of the deceased customer with the Bank remain in full force and effect (except to the extent Succession Law or this form provides otherwise).

**5.6 SET OFF**

- (a)** If the deceased owes us money, you permit us to set off the money the deceased has in account(s) with us against the amount of money the deceased owes us. 'Set off' means we use money in someone's account with us to pay what they owe us. You also permit us to combine or consolidate some or all of the deceased's accounts with us.
- (b)** We can act on a permission you give us in this clause 5.6 at any time and we do not have to give you a further notice before we do.
- (c)** In this clause 5.6: "account(s)" includes an account in any deposit, current or other form of account; and "owes" includes owing in any way and includes, for example, money owed to us under a loan, or credit card.

**5.7 JOINT AND SEVERAL LIABILITY**

Where more than one person signs this form, the liability of each person under this form is joint and several.

**5.8 INTERPRETATION**

In this form:

- (a)** "deceased customer" means the deceased person named in Section 1. The "deceased" has the same meaning.
- (b)** "Grant" includes a Grant of Probate or a Grant of Administration as appropriate.
- (c)** The expressions "you", and "your" includes a reference to each person who signs this form or some or all of them. (Where one person only signs this form, the expressions refer to that person alone).
- (d)** The expressions "we", "us", "our" refers to the Governor and Company of Bankinter; the word "Bank" means the same thing.
- (e)** "Succession Law" includes a reference to the Succession Act 1965 as amended.
- (f)** "will" includes last will and testament and includes a reference to any testamentary disposition, for example a codicil.
- (g)** Any expression in the plural is deemed to include a reference to the singular.
- (h)** Where a clause gives an example of something, that is to assist those who use this form and it does not limit the meaning of the clause.
- (i)** Headings and the notes on page 1 are for the convenience of those who use this form and do not form part of the agreement between you and us or affect the meaning of the clauses in this form.

