



Government Legal Department

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Our reference: BVFOI/284/16 re Audrey Sylvia Webber

Freedom of Information Act 2000 Request

You asked for the following information from the Government Legal Department (“the Department”):

Who is the administrator of the estate?

Why is the above listing no longer included on the most recent Bona Vacantia list? Is this indicative of a claimant having registered a claim against this estate and if so can you advise who this is or who their representative is?

What is the value of the estate in question?

Your request will be dealt with by the Bona Vacantia Division (“the Division”) under the Freedom of Information Act 2000.

The Division holds some of the information that you have requested.

The Division publishes a list of unclaimed estates which have been recently referred, but not yet administered, and historic cases which have been administered but not yet been claimed within the time limits for doing so. The list is updated every working day. Any estates where the Bona Vacantia division (BVD) no longer has an interest, for example, when a claim to an estate has been admitted, will be removed daily. Following the advertisement of this estate, a fully documented claim was received and admitted from an entitled relative. As there is no Crown interest in the estate, it has been removed from unclaimed list.

I have withheld the information from the file, details of the claimant, as it is exempt from disclosure under section 40(2) of the Act. The information is exempt from disclosure because it constitutes the personal data of a living individual as defined in section 1(1) of the Data Protection Act 1998 and disclosure of the information would be in breach of the data protection principles set out in Schedule 1 of that Act. In particular, disclosure of the information would contravene the first data protection principle, which requires that personal data be processed fairly and lawfully.

Information about the claimant or their representative is withheld as it is exempt from disclosure under section 41 of the Act as the Division considers that the information was received in confidence, and that to reveal the information would constitute an actionable breach of the duty of confidence.

In considering whether disclosure would be an actionable breach of confidence the Division has considered whether there is a public interest in disclosing the information that would outweigh the public interest in keeping the information confidential.

There is a strong public interest in keeping confidential information that has been disclosed in confidence, and in this case there is no specific reason in favour of disclosure of the information. Disclosure would not protect public safety, nor would it expose wrongdoing such as misfeasance, maladministration, negligence or other iniquity on the part of the Division. In this case the Division considers that the public interest in keeping the information confidential outweighs the public interest in disclosing it.

The Division holds no information about the value of the estate or the administrator.

