



Our reference: BVFOI/281/16 re George Lionel Knowles

Freedom of Information Act 2000 Request

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

1. The name of the 'entitled relative' and the exact date on which the Bona Vacantia Division relinquished/accepted the entitled relative to administer the deceased's estate?
2. Did the 'entitled relative' first contact you or some Third Party?
3. Who is actually the legally authorised Administrator of the Estate? Is it the 'entitled relative' or some other party?
4. Are your guidelines in our website definitive in terms of what documentary proof an Administrator or entitled relative must produce?

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 relinquished its interest in the estate on 17 May 2016.

I have withheld information from the file in relation to the details of 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.

This information, and details of any persons who may have made contact in relation to claiming the estate, 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.

No information is held in relation to the administrator of the estate.

The information provided on our website is for use as a general guide and advises that if a claimant is in any doubt about how to prove their claim, they should seek their own advice, from a solicitor, local law centre or the Citizen's Advice Bureau. The Division cannot advise claimants or their representatives.

Each claimant must provide sufficient documentary evidence to prove their blood relationship to the deceased in the form of full birth and marriage certificates (of each person between the claimant and the deceased) together with proof of identity. Each claim will be considered on an individual basis on the evidence received and the information held on file.

The Division reserves the right to request additional information/evidence to support a claim.