

**Response to a Question Pursuant to Rule 14
of The Rules of Procedure of the States of Deliberation and their Committees**

Subject: Ecclesiastical Court
States' Member: Deputy Gavin St Pier
Date received: 25th November 2021
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Date of reply: 9th December 2021

Question

In a response dated 15th June 2021 to a series of Rule 14 questions in relation to the Ecclesiastical Court's administration of probate, the Committee indicated that it was expected that an agreement between the Committee and the Dean would be finalised by the end of June 2021. Could the Committee please confirm that the agreement has been reached? If not, when is an agreement now expected to be finalised? If an agreement has been reached, could the Committee please advise the date it was finalised and arrange for its publication?

Response

In the answers given dated 15th June 2021, it was the expectation that the agreement would be finalised by the end of June however, a few technical details prevented completion within that timeline. These matters have since been resolved and the agreement was signed on 6th December.

In the meantime, the Dean has made an interim payment to the Social Investment Fund (SIF) in respect of the 2021 surplus of £350,000 and is expecting to pay a further £250,000 before the end of the year.

While we are not intending to publish the contract, which is consistent with standard practice, the main elements of the agreement are:

- The net surplus from the Probate Registry is payable to the SIF following allowance for administration costs and a management charge;
- A management charge of £25,000 per annum has been agreed which is fixed for three years, at which time it will be reviewed;

- Any increase in administration costs is capped at Guernsey RPIX in order to maximise the level of the funds payable to the SIF;
- The Probate Registry will keep a retained surplus equivalent only to three months' running costs;
- Accounts for the Probate Registry will be finalised within three months of each year end;
- The level of overheads, management charge and policy on retained surplus will all be reviewed after three years.

Deputy Peter Ferbrache

President

Policy & Resources Committee