

ADMINISTRATION OF ESTATES BY CONSULAR OFFICERS ORDINANCE (VARIATION OF SCHEDULE: RUSSIA) ORDER

(Made by the Chief Executive under section 3 of the Administration of Estates by Consular Officers Ordinance (Cap. 191) after consultation with the Executive Council)

1. Commencement

This Order comes into operation on 17 July 2009.

2. Schedule varied

The Schedule to the Administration of Estates by Consular Officers Ordinance (Cap. 191) is varied by adding –

“6.	Russian Federation	Consular Convention between the People’s Republic of China and the Russian Federation	25.4.2002	Article 17.6”
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Explanatory Notes

Article 5(g) of the Vienna Convention on Consular Relations (VCCR) provides for the safeguarding of the interests of nationals of the sending State in cases of succession mortis causa in the territory of the receiving State, in accordance with the laws and regulations of the receiving State. The VCCR does not specify detailed provisions for matters relating to the administration of their nationals’ estates in the receiving State by consular officers.

The Administration of Estates by Consular Officers Ordinance (Variation of Schedule: Russia) Order adds “Russian Federation” to the Schedule to Cap. 191 to confer additional powers to Russian consular officers as set out in Article 17(6) of the Convention, i.e. to administer the deceased national’s estates under specified circumstances.

Consular Convention Between the People’s Republic of China and the Russian Federation

**Article 17
Functions Concerning Estate**

6. In case a national of the sending State dies during a temporary stay in or transit through the receiving State, and there is no relative or representative of his in the receiving State, a consular officer shall be entitled to immediately take into temporary custody all the documents, money and personal effects which were with the deceased national for transmission to his heir, legatee or other persons entitled to receive the articles.