



# Statutory Declaration – Deceased Estate: Intestate

## Transfer of Vessel: Intestate (next of kin/de facto)

If a vessel registration holder dies intestate (*without a will*) and the next of kin or de facto partner wants the vessel transferred into their name, they must supply a completed Boat Transfer Form (*see over for more information*) and a completed Statutory Declaration - Deceased Estate: Intestate form.

**Note:** Refer to the reverse side of this form for a list of Professions that can witness this Statutory Declaration.  
Please submit only the original copy of this Statutory Declaration.

### Declaration

I (*Declarant's name in full*) (*Surname*) \_\_\_\_\_ (*Other names*) \_\_\_\_\_

of (*Residential Address*) \_\_\_\_\_

(*Suburb*) \_\_\_\_\_ (*Postcode*) \_\_\_\_\_ (*State*) \_\_\_\_\_

(*Contact Number*) \_\_\_\_\_ (*Email Address*) \_\_\_\_\_

in the State of Western Australia, do solemnly and sincerely declare that I am the:

**next of kin;** or

**de facto partner**

of: (*full name of deceased person*) \_\_\_\_\_ who has died intestate.

I am recognised as being entitled (as defined under the *Administration Act 1903*) to the vessel listed below and request that the vessel be transferred into my name.

### Vessel details

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Type: \_\_\_\_\_

Registration Number: \_\_\_\_\_ HIN: \_\_\_\_\_

I accept full responsibility for the vessel transfer.

I make this solemn declaration by virtue of the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Declared at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_  
(location) (date) (month) (year)

Signature of declarant: \_\_\_\_\_ Contact phone number \_\_\_\_\_

**Warning:** It is an offence to provide false or misleading information in this declaration  
(*maximum penalty - up to three (3) years imprisonment*).

### Declaration Witness

This Declaration must be made before any person before whom, under the *Oaths, Affidavits and Statutory Declarations Act 2005*, a statutory declaration may be made.

#### Declared Before Me:

Surname \_\_\_\_\_ First name(s) \_\_\_\_\_

Profession Title (*see back of this form*) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

## **Intestacy**

“Intestacy” is where a person dies:

- without leaving a Will; or
- leaving a Will which, for some reason, does not deal with all their property (*estate*).

The *Administration Act 1903* contains the legislative provisions for Probate, Administration and the duties on the estates of deceased persons in the above circumstances.

## **Boat Transfer Form**

A Boat Transfer Form must be completed and accompany this Statutory Declaration - Deceased Estate: Intestate form before the transfer of registration can be completed.

### **Transfer to next of kin/de facto – intestate**

The Boat Transfer form must be endorsed immediately underneath the new owners name with the words ‘Next of Kin’ or ‘De Facto Partner’. Full transfer fee is payable (*Part VA – Navigable Waters Regulations 1958*).

If the registration is held in the joint names of the deceased and the next of kin/de facto partner, no transfer fee is payable.

### **Transfer to other than next of kin/de facto – intestate**

If a vessel registration holder dies intestate (*without a will*) and the next of kin/de facto partner wants to sell the vessel, the person who acquires the vessel must present a Boat Transfer Form and this Statutory Declaration - Deceased Estate: Intestate form, both completed by the next of kin/de facto partner.

The next of kin/de facto partner must record the seller’s details as ‘Estate of (*insert full name*)’ on the Boat Transfer Form and endorse ‘Next of Kin’ or ‘De Facto Partner’ above their signature in the seller’s signature box. The person who acquires the vessel must pay the transfer fee (*Part VA – Navigable Waters Regulations 1958*).

### **This declaration must be made before any of the following persons:**

- Academic (post-secondary institution)
- Accountant
- Architect
- Australian Consular Officer
- Australian Diplomatic Officer
- Bailiff
- Bank Manager
- Chartered Secretary
- Chemist
- Chiropractor
- Company Auditor or Liquidator
- Court Officer (Judge, Magistrate, Registrar or Clerk)
- Defence Force officer (Commissioned, Warrant or NCO with 5 years continuous service)
- Dentist
- Doctor
- Engineer
- Industrial Organisation Secretary
- Insurance Broker
- Justice of the Peace
- Lawyer
- Local Government CEO or Deputy CEO
- Local Government Councillor
- Loss Adjuster, or,
- Any person before whom, under the Statutory Declarations Act 1959 of the Commonwealth, a statutory declaration may be made.

Please return completed forms to  
**Boat Registrations, Department of Transport**  
1 Essex Street, PO BOX 402, Fremantle, WA 6959

For further information please contact Boat Registrations  
on 1300 863 308 between 8:30 am and 4:30 pm Monday to Friday or visit us on the web at <http://www.transport.wa.gov.au/imarine>