

Deceased Estate Settlement Policy

Purpose: The management of ownerships of dogs or prefix of a deceased member

Summary

This policy applies to Members of Dogs ACT and the management of the ownership of dogs or prefixes owned by them in the event of their death.

Definitions

Nil

POLICY

On the death of a Member any registered ownership/part ownership of a dog or prefix becomes part of their estate and must be dealt with accordingly.

At all times the laws of the Australian Capital Territory will apply to any transfer of ownership of dogs/prefixes/registered semen owned by deceased persons, regardless of whether the person was residing in the Australian Capital Territory or not.

1. Upon production of a death certificate, the Register for all dogs/prefixed/registered semen in the registered ownership/part ownership of that person, either jointly or singularly, will be amended, at no cost, to read:
“DDMMYYY – Death Certificate sighted – on hold pending settlement of the estate of the late (XXX)”
Renewal fees will not be applicable from this point.
2. Upon production of a Grant of Probate or Letter of Administration, Dogs ACT will provide a list of all dogs/prefixes/registered semen in the registered ownership/part ownership of the deceased Member to the executor or administrator of the estate.
3. Upon instruction from the executor or administrator of the estate of the deceased Member, all dogs/prefixes/registered semen in the registered ownership/part ownership of the deceased member will be transferred to the nominated beneficiary, at no cost.

Should a Member die in circumstances where the Executor does not intend to, or consider there is a need to, apply for a grant of probate or letters of administration to distribute the estate of that Member then, at the discretion of the Council of Dogs ACT, all dogs/prefixes/ registered semen in the registered ownership/part ownership of the deceased person, may be transferred into the name of persons specified by the executor of the estate.

In this instance, the following shall be provided to Dogs ACT by the executor:

1. A statutory declaration signed by the executor of the deceased Member’s estate annexing a copy of the death certificate and will of the deceased Member and stating any reasons why the executor considers it is not necessary for a grant of probate or letters of administration to be obtained for the deceased Member’s estate to be distributed.
2. An indemnity to Dogs ACT in the form prescribed by Dogs ACT, against any legal proceedings or costs incurred as a consequence of any dispute arising over the transfer of ownership of the dogs from the deceased person to the beneficiary.

Note: Original Certified Pedigrees for any dogs to be transferred must be submitted to Dogs ACT prior to transfer of ownership. If not available, a statutory declaration is to be provided to this effect by the administrator of the estate.

POLICY ADMINISTRATION

Policy established: 12th March 2025