

IN THE SUPREME COURT  
REPUBLIC OF VANUATU  
(Probate Jurisdiction)

Probate Case No. 12 of 2015

IN THE ESTATE OF: **Pierre Channel Warisul Watahlean Watas**  
*Deceased*

AND

IN THE MATTER OF AN APPLICATION BY: **Neirove Zoe Watas for Grant of**  
**Administration**  
*Applicant*

AND: **Mathilda Frazer**  
*Respondent*

*Before Chetwynd J at Luganville*  
*Mr Molbaleh for the Applicant*  
*Mr Garae for the Respondent*  
*Hearing 1<sup>st</sup> March 2016*

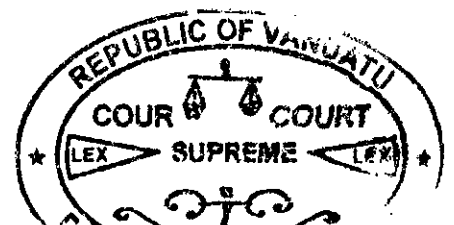
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## MINUTE

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1. This is an application for a grant of Letters of Administration. On 28<sup>th</sup> September 2015 I published a minute in respect of the application. In response Mr Molbaleh and Mr Garae appeared before me when I was on tour to Santo and there was a general discussion about the case. Later a joint memorandum was lodged by Mr Molbaleh and Mr Garae and it looks as if the parties are, if not in complete agreement, at least *ad idem* about the way forward. Both agree that the first issue is actually establishing what is in the deceased's estate. A letter was sent to all of the banks in Port Villa asking about accounts in the name of Watah Lean Pierre Chanel but in transpires there may be accounts in other names. The Deceased was known by several names and searches against known aliases need to be made. There is also a property which is lived in by the Applicant and "her" children. Details of ownership and acquisition are needed in respect of that property too.

2. Mr Molbaleh and Mr Garae have suggested I make an order granting administration to the applicant widow. They also seek an order for the banks to disclose details of accounts opened and operated by the deceased, including accounts that may have been opened in the name of his children from his relationship with the Respondent Ms Frazer. They would also like an order directed to the Vanuatu NPF requiring that institution to disclose what contributions were made to the credit of the Deceased. It is also possible there are loans in



the name of the Deceased and enquiries and orders are requested in to establish if there are and if so how much is to be repaid.

3. In that regard, if I make an order granting administration to the widow that is all the authority she needs to get the banks and other financial institutions to disclose what accounts they hold etc. However, I am happy to adopt a belts and braces approach and make an order, especially as there may be accounts not actually in the Deceased's name but clearly opened by him or operated by him. None of the children born to the Respondent Ms Matilda Frazer appear to be of age at the moment and it must be presumed the accounts were opened by the Deceased as Trustee. A copy of this Minute and the incorporated Order can be sent to the Banks and Vanuatu NPF and indeed any other institution which may have information about the Deceased's finances. I will also sign a separate Grant of Administration and copies of that can be sent too. If any of the Banks or other institutions decline to provide information or reply saying they need further authority then the Administrator can apply to the Court for an order that that institution appears in Court and explains its difficulty or reasons for not being able to provide the information requested.

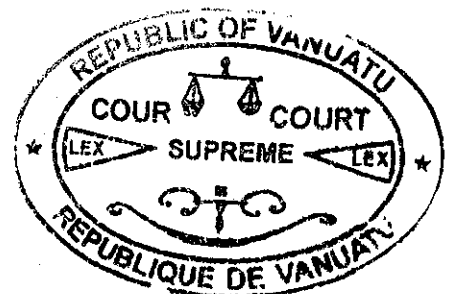
4. Once the value of the Deceased's estate is known, Mr Molbaleh and Mr Garae will make submissions about the distribution.

### ORDER

1. The Applicant, Neirove Zoe (AKA Neirove Zoe Watas), is granted Administration of the Estate of the Deceased, PIERRE CHANEL WARISUL WATALEAN (AKA Pierre Chanel Watas), who died on 24<sup>th</sup> October 2014, late of Side River, Luganville, Santo;
2. The Administrator is to write to all banks and financial institutions in Vanuatu, including, but not limited to the Vanuatu NPF, all commercial Banks and the Agricultural and Development Bank of Vanuatu seeking details of any accounts opened by or loans made to the said Deceased in his own name or in the name of the children whose details are set out below or in the name of any other alias of the Deceased including the name set out below;
3. The information requested as set out in paragraph 2 above is to be provided within 21 days of the written request;
4. Costs reserved.

### Known Aliases

Pierre Chanel Watas  
Pierre Chanel Wetah Lean

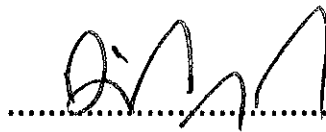


Children born to the deceased

Leontine Watahlean  
Sabrina Watalean  
Alexandra Watahlean  
Euginie Watas Sese  
Pierre Donavon Watas  
Johnson Watas

Dated at Luganville this 8<sup>th</sup> day of March 2016

BY THE COURT



DAVID CHETWYND  
Judge

