

IN THE ESTATE OF SUNNY WUNSAN TONG - DECEASED  
OFFICIAL ADMINISTRATOR OF UNREPRESENTED ESTATES - APPLICANT

High Court of Solomon Islands

(Ward C.J.)

Civil Case No. 32 of 1991

Hearing: 19 November 1991

Ruling: 20 November 1991

N. Tongarutu for the Applicant

J. Sullivan and R. Emery as Co-Administrators of Estate

T. Kama for the Administrators

WARD CJ: The administrators in this case seek to register powers of attorney granted to them in the course of the administration of this estate. The Registrar has declined to register them on the ground that they include a power to dispose of interests in land but the power of attorney should specify the land itself and these do not.

The power of attorney, of which an example is exhibited to the affidavit of Mr Kama, clearly gives very wide powers including the power to dispose of land. It is not in the form Form 20 prescribed by the Regulations but the Registrar does not take any issue on that and prefers to exercise her discretion in their favour.

The administrators point out that the act does not require a specific reference to the land in question but the Registrar suggests Form 20 gives such an indication and she may only consent to use of a form that, in terms of regulation 3(4)(a), conforms substantially to Form 20. Form 20 requires a description of the land to be attached in a schedule. I do not feel that is sufficient ground to refuse registration. Form 20 allows the passage she uses to support her case to be deleted and specific powers to be set out.

That in effect is what the exhibited power of attorney does.

I rule that the Registrar shall register the powers of attorney granted in favour of the administrators by

- **Tong Poy and Sons Ltd dated 25.3.91**
- **China Machinery Company dated 25.3.91**
- **Cape Esperance Co. Ltd dated 19.4.91**
- **Sunny Timber Industry (SI) Ltd dated 20.9.91**

Costs in the administration.

(F.G.R. Ward)  
**CHIEF JUSTICE**