



CC Art. 17

Administration of the Absentee's Estate

TITLE 01 — PERSONS · CHAPTER 05 — ABSENCE AND PRESUMPTION OF DEATH

- 1** Upon a declaration of absence, the competent authority shall appoint an administrator to manage the property and affairs of the absentee. The appointment shall follow the order of preference established for guardians under [Article 13](#) of this Title, adapted as appropriate.
 - 2** The administrator has the duty to:
 - a. Preserve the absentee's estate and protect it from loss, deterioration, or waste.
 - b. Collect income, rents, and other amounts due to the absentee.
 - c. Discharge obligations falling due, including debts, taxes, and maintenance obligations owed by the absentee.
 - d. Represent the absentee in legal proceedings, both as claimant and as defendant, where necessary to protect the estate.
 - e. Continue the ordinary management of any business or enterprise belonging to the absentee, unless the competent authority directs otherwise.
 - 3** The administrator may not alienate, mortgage, or otherwise dispose of the absentee's property except with the prior authorisation of the competent authority, granted only where:
 - a. Disposal is necessary to prevent loss or deterioration of a perishable or depreciating asset.
 - b. Disposal is necessary to meet obligations of the estate that cannot otherwise be satisfied.
 - c. Disposal is manifestly in the interest of the absentee or of the estate.
 - 4** The administrator shall render accounts of their administration to the competent authority at intervals not exceeding one year, including an inventory of assets, a record of income and expenditure, and a statement of the condition of the estate.
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- 5 The administrator is entitled to reasonable remuneration for their services, as determined by the competent authority, payable from the income of the estate.
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- 6 If the absentee returns or their existence is established:
- The administration ceases upon notification to the administrator.
 - The estate is restored to the absentee in its current condition.
 - The absentee is entitled to a full account of the administration.
 - The absentee is bound by acts lawfully performed by the administrator within the scope of their authority.
 - The administrator is liable for losses caused by negligence or breach of duty, but not for losses arising from prudent administration.
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- 7 The provisions governing guardians and curators apply to administrators of an absentee's estate to the extent that they are not inconsistent with this Chapter.
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DOCUMENT INFORMATION	
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