



Administration of Estates Act (Northern Ireland) 1955

1955 CHAPTER 24

PART IV

ADMINISTRATION OF ASSETS

32 Powers of personal representatives to sell or transfer.

- (1) The personal representatives may sell the whole or any part of the estate of a deceased person for the purpose not only of paying debts, but also (whether there are or are not debts) of distributing the estate among the persons beneficially entitled thereto, and before selling for the purposes of distribution the personal representatives shall, so far as practicable, give effect to the wishes of the persons of full age for the time being beneficially entitled to the property proposed to be sold, or, in the case of dispute, of the majority (according to the value of their combined interests) of such persons so, however, that—
 - (a) a purchaser shall not be concerned to see that the personal representatives have complied with such wishes; and
 - (b) it shall not in any case be necessary for any person beneficially entitled to concur in any such sale.
- (2) It shall not be lawful for some or one only of several joint personal representatives, without leave of the court, to exercise any power conferred by this section or by section forty to dispose of any land, save that where probate is granted to one or some of several persons named as executors, whether or not power is reserved to the others or other to prove, the disposition of the land may, notwithstanding any other provision or rule of law to the contrary, be made by the proving executor or executors, without leave of the court, as fully and effectually as if all the persons named as executors had concurred therein. Where a disposition is so made by the proving executor or executors sub-section (1) and the said section forty shall have effect as if references therein to personal representatives were references to the proving executor or executors.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Estates Act (Northern Ireland) 1955, Section 32.