

Changes to legislation: There are currently no known outstanding effects for the Administration of Estates Act 1971. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 7.

AMENDMENTS CONSEQUENTIAL ON SS. 1-6

Modifications etc. (not altering text)

- C1** The text of Sch. 1 and Sch. 2 Pt. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 1 In section 1 of the ^{M1} Confirmation and Probate Amendment Act 1859 (indemnification of persons making payments upon confirmations etc.) for the words from “any such instrument” to “prescribe” there shall be substituted the words “any instrument purporting to be a probate or letters of administration issued by any court in England and Wales or Northern Ireland and noting the domicile of the deceased as being in England and Wales or in Northern Ireland, as the case may be”.

Marginal Citations

- M1** 1859 c. 30.

- 2 In section 6 of the ^{M2} Executors (Scotland) Act 1900 (transmission of trust funds by executors of sole or last surviving trustees), for the words from “or Ireland” to “Edinburgh” there shall be substituted the words “and Wales or Northern Ireland to his executors and noting his domicile in England and Wales or in Northern Ireland, as the case may be”.

Marginal Citations

- M2** 1900 c. 27.

- 3 In section 5(2)(b) of the ^{M3} Conveyancing (Scotland) Act 1924 (executor to have title to debt secured by heritable security), for the words from “issued by any court” to “that effect, and” there shall be substituted the words—

“issue -

- (a) by any court in England and Wales or Northern Ireland and noting his domicile in England and Wales or in Northern Ireland, as the case may be, or
- (b) by any court outwith the United Kingdom and sealed in Scotland under section 2 of the Colonial Probates Act 1892

and”

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Marginal Citations

M3 1924 c. 27.

- 4 In section 6(1) of the ^{M4} Law Reform (Miscellaneous Provisions) (Scotland) Act 1940 (estate falling to Crown) for the words from “as well as” to the end of the subsection there shall be substituted the words “and Wales as well as in Scotland as an executor nominate to whom confirmation has been granted as mentioned in section 1 of the Administration of Estates Act 1971”.

Marginal Citations

M4 1940 c. 42

- 5 In section 32(2)(b) of the ^{M5} Succession (Scotland) Act 1964 (certain testamentary dispositions to be probative), for the words from “issued” to “1858 or” there shall be substituted the words “has been issued in England and Wales or Northern Ireland in respect of property disposed of in the disposition and notes the domicile of the deceased in England and Wales or in Northern Ireland, as the case may be, or probate, letters of administration or other grant of representation issued outwith the United Kingdom in respect of such property has been”.

Marginal Citations

M5 1964 c. 41.

SCHEDULE 2

Section 12.

ENACTMENTS REPEALED

PART I

ENACTMENTS RELATING TO ABOLITION OF RESEALING

Modifications etc. (not altering text)

- C2** The text of Sch. 1 and Sch. 2 Pt. 1 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short Title	Extent of Repeal
20 & 21 Vict. c. 79.	The Probate and Letters of Administration Act (Ireland) 1857.	In section 27 the words “probates, letters of administration”. Sections 94 and 95.

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21 & 22 Vict. c. 56.	The Confirmation and Probate Act 1858.	In section 9 the word “personal” in each place where it occurs. Section 13 and 14. Schedule (F).
22 & 23 Vict. c. 31.	The Court of Probate Act (Ireland) 1859.	Section 25.
23 & 24 Vict. c. 5.	The Indian Securities Act 1860.	In section 1 the words from “and probate or” to the end of the section.
38 & 39 Vict. c. 41.	The Intestate Widows and Children (Scotland) Act 1875.	In section 3, the words from “and where such” to the end of the section.
39 & 40 Vict. c. 24.	The Small Testate Estates (Scotland Act 1876.	In section 3, the words from “and where such” to the end of the section.
39 & 40 Vict. c. 70.	The Sheriff Courts (Scotland) Act 1876.	Section 42 and 43.
44 & 45 Vict. c. 12.	The Customs and Inland Revenue Act 1881.	In section 34 the words from “and the fees” to the end of the section.
57 & 58 Vict. c. 30.	The Finance Act 1894.	Section 16(4). Section 23(7).
10 & 11 Geo. 5. c. 67.	The Government of Ireland Act 1920.	Section 28(5).
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act 1925.	Section 168. Section 169. In section 174(2) the words “probates, letters of administration”.
18 & 19 Geo. 5. c. 26.	The Administration of Justice Act 1928.	Section 10.
22 & 23 Geo. 5. c. 11	The Northern Ireland (Miscellaneous Provisions) Act 1932.	Section 2.
1955 c. 24. (N.I.).	The Administration of Estates Act (Northern Ireland) 1955.	Section 27.
4 & 5 Eliz. 2. c. 46.	The Administration of Justice Act 1956.	Section 17(3).
1970 c. 31.	The Administration of Justice Act 1970.	In section 54(6) the words from “and the amendment” to the end of the section. In Schedule 2, paragraph 1.

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PART II

ENACTMENTS RELATING TO ADMINISTRATION IN ENGLAND AND WALES

Chapter	Short Title	Extent of Repeal
20 & 21 Vict. c. 77.	The Court of Probate Act 1857.	In Section 73, the words “upon his giving such security (if any) as the court shall direct”. Section 82.
39 & 40 Vict. c. 18.	The Treasury Solicitor Act 1876.	In section 2, the last paragraph, both as originally enacted and as applied by section 3 of the Duchy of Lancaster Act 1920.
54 & 55 Vict. c. 39.	The Stamp Act 1891.	In Schedule 1, in the heading beginning “Bond on obtaining letters of administration” the words “England or”.
6 Edw. 7.c. 55.	The Public Trustee Act 1906.	In section 11(4), the words “upon the grant to him of administration, or” and the words “if administration is granted to him or”.
15 & 16 Geo. 5.c. 23.	The Administration of Estates Act 1925.	Section 34(2).
12, 13 & 14 Geo. 6 c. 29.	The Consular Conventions Act 1949.	In section 1(3) the words “(including liabilities under the administration bond)”. Section 1(5).
12, 13 & 14 Geo. 6.c. 47.	The Finance Act 1949.	In Schedule 8, in paragraph 8, the words “and Bond on obtaining letters of administration”.

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