

1968 No. 1675 (L. 17)

**SUPREME COURT OF JUDICATURE, ENGLAND
PROCEDURE**

The Non-Contentious Probate (Amendment) Rules 1968

<i>Made</i> - - -	18th October 1968
<i>Laid before Parliament</i>	31st October 1968
<i>Coming into Operation</i>	2nd June 1969

I, the Right Honourable Sir Jocelyn Edward Salis Simon, President of the Probate Division, in exercise of the powers conferred upon me by section 100 of the Supreme Court of Judicature (Consolidation) Act 1925(a), and with the concurrence of the Lord Chancellor and the Lord Chief Justice, do hereby make the following Rules:—

1. These Rules may be cited as the Non-Contentious Probate (Amendment) Rules 1968 and shall come into operation on 2nd June 1969.

2. The following amendments shall be made to the Non-Contentious Probate Rules 1954(b) as amended (c):—

(1) After rule 2 there shall be inserted the following rule:

“ Probate sub-registries

2A. Sub-registries may be established at such places and under the control of such registrars as the President may from time to time direct ”.

(2) In paragraph (1) of rule 3 (which relates to applications for grants through solicitors), after the words “ any registry ” there shall be inserted the words “ or sub-registry ”; and after the words “ such registries ” there shall be inserted the words “ or sub-registries ”.

(3) In rule 4 (which relates to personal applications), after the word “ registry ” in paragraph (1) there shall be inserted the word “ or sub-registry ”; and paragraph (9) shall be omitted.

Dated 16th October 1968.

J. E. S. Simon, P.

We concur,

Dated 18th October 1968.

Gardiner, C.

Dated 16th October 1968.

Parker of Waddington, C.J.

(a) 1925 c. 49.

(b) S.I. 1954/796 (1954 II, p. 2202).

(c) There is no amendment which relates to the subject matter of these Rules.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Non-Contentious Probate Rules 1954 by providing for a new type of office, called a sub-registry, to deal with applications for grants made through solicitors (including, if the President of the Probate Division has so directed, applications made by post) as well as with personal applications. The Rules empower the President to prescribe the places where such offices are to be established and to specify the registrars who are to be in charge of them. The Rules also delete a reference in the 1954 Rules to the right of a personal applicant to apply for a grant to an officer of Customs and Excise: this is consequential on the repeal, by section 10 of the Finance Act 1967, of the relevant statutory provision.