

FIRST SCHEDULE

Rule 2(2)

FORMS

FORM 1 CERTIFICATE OF DELIVERY OF INLAND REVENUE AFFIDAVIT

Rule 42

And it is hereby certified that an Inland Revenue affidavit has been delivered wherein it is shown that the gross value of the said estate in the United Kingdom (exclusive of what the said deceased may have been possessed of or entitled to as a trustee and not beneficially) amounts to £ and that the net value of the estate amounts to £.....

And it is further certified that it appears by a receipt signed by an Inland Revenue officer on the said affidavit that £..... on account of estate duty and interest on such duty has been paid.

FORM 2 STANDING SEARCH

Rule 43(1)

In the High Court of Justice
Family Division
The Principal Registry

I/We apply for the entry of a standing search so that there shall be sent to me/us an office copy of every grant of representation in England and Wales in the estate of:-

Full name of deceased:

Full address:

Alternative or alias names:

Exact date of death:

which either has issued not more than 12 months before the entry of this application or issues within 6 months thereafter.

Signed

Name in block letters

Full address

Reference No. (if any)

FORM 3 CAVEAT

Status: This is the original version (as it was originally made).

Rule 44(2)

In the High Court of Justice

Family Division

The Principal [or District Probate] Registry.

Let no grant be sealed in the estate of (full name and address) deceased, who died on the day of 19 .., without notice to (name of party by whom or on whose behalf the caveat is entered).

Dated this day of 19 .. .

(Signed) (to be signed by the caveator's solicitor or by the caveator if acting in person)

whose address for service is:

Solicitor for the said (If the caveator is acting in person, substitute "In person".)

FORM 4 WARNING TO CAVEATOR

Rule 44(5)

In the High Court of Justice

Family Division

[The Registry in which the caveat index is maintained]

To of a party who has entered a caveat in the estate of deceased.

You have eight days (starting with the day on which this warning was served on you):

- (i) to enter an appearance either in person or by your solicitor, at the [name and address of the registry in which the caveat index is maintained] setting out what interest you have in the estate of the above-named of deceased contrary to that of the party at whose instance this warning is issued; or
- (ii) if you have no contrary interest but wish to show cause against the sealing of a grant to such party, to issue and serve a summons for directions by a registrar of the Principal Registry or a district probate registry.

If you fail to do either of these, the court may proceed to issue a grant of probate or administration in the said estate notwithstanding your caveat.

Dated the day of 19 .. .

Issued at the instance of

[Here set out the name and interest (including the date of the will, if any, under which the interest arises) of the party warning, the name of his solicitor and the address for service. If the party warning is acting in person, this must be stated.]

Registrar

FORM 5 APPEARANCE TO WARNING OR CITATION

In the High Court of Justice

Family Division

The Principal [or District Probate] Registry

Caveat No. dated the day of 19

[Citation dated the..... day of 19]

Full name and address of deceased:

Full name and address of person warning [or citor]:

(Here set out the interest of the person warning, or citor, as shown in warning or citation.)

Full name and address of caveator [or person cited].

(Here set out the interest of the caveator or person cited, stating the date of the will (if any) under which such interest arises.)

Enter an appearance for the above-named caveator [or person cited] in this matter.

Dated the day of 19

(Signed)

whose address for service is:

Solicitor (or 'In person').

FORM 6 NOTICE OF ELECTION TO REDEEM LIFE INTEREST

In the High Court of Justice

Family Division

The Principal [or District Probate] Registry

In the estate of deceased.

Whereas of died on the day of 19..... wholly/partially intestate leaving his/her/lawful wife/husband and lawful issue of the said deceased;

And whereas Probate/Letters of Administration of the estate of the said were granted to me, the said [and to of] at the Probate Registry on the day of 19

And whereas [the said has ceased to be a personal representative because] and I am [now] the sole personal representative;

Now I, the said hereby give notice in accordance with section 47A of the Administration of Estates Act 1925 that I elect to redeem the life interest to which I am entitled in the estate of the late by retaining £ its capital value, and £ the costs of the transaction.

Dated the day of 19

(Signed)

To the Senior Registrar of the Family Division.