
STATUTORY INSTRUMENTS

1979 No. 1575

Administration of Estates (Northern Ireland) Order 1979

PART V

MISCELLANEOUS

Art. 41 amends s.7 of 1955 c. 24 (NI)

Proceedings against estate of deceased person

42. Rules of court and, in relation to proceedings in a county court, county court rules may make provision—

(a) for enabling proceedings to be commenced against the estate of a deceased person (whether by the appointment of a person to represent the estate or otherwise) where no grant has been made;

(b) for enabling proceedings purporting to have been commenced against a person to be treated, if he was dead at their commencement, as having been commenced against his estate, whether or not a grant of probate or administration was made before their commencement; and

(c) for enabling any proceedings commenced or treated as commenced against the estate of a deceased person to be maintained (whether by substitution of parties, amendment or otherwise) against a person appointed to represent the estate or, if a grant is or has been made, against the personal representatives.

Transitional and saving provisions, amendments and repeals

43.—(1) The transitional and saving provisions contained in Schedule 1 shall have effect.

Para. (2), with Schedule 2, effects amendments

Para. (3), with Schedule 3, effects repeals

Changes to legislation:

There are currently no known outstanding effects for the Administration of Estates (Northern Ireland) Order 1979, PART V.