
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART III

ORIGINAL CIVIL JURISDICTION

Probate Jurisdiction

Jurisdiction in contentious probate matters

15. A county court shall, subject to and in accordance with the provisions of Article 12 of the Administration of Estates (Northern Ireland) Order 1979 , have the jurisdiction of the High Court in respect of any contentious matter arising in connection with the grant or revocation of probate or administration.

Power to grant limited administration

16.—(1) Where—

- (a) a person dies concerning whose property any proceedings are pending in a county court; and
- [^{F1}(b) subject to paragraph (iii), the gross value of his property (exclusive of property to which he was entitled as a trustee and not beneficially) so far as it consists of property other than land does not exceed £45,000 in value and so far as it consists of land does not exceed—
 - (i) in the case where the land has a net annual value, £4,060;
 - (ii) in the case where the land has a capital value, £400,000;
 - (iii) in the case where the land has a net annual value and a capital value, both conditions in sub-paragraphs (i) and (ii) of paragraph (b) are satisfied.]
- (c) the judge is satisfied that representation has not been raised to him or that no representative is available for the purpose of the proceedings;

the judge may by order in writing under his hand appoint as executor for the purpose only of such proceedings such person as the judge may think fit; and such order shall be made subject to such conditions as to the giving of security and otherwise as the judge may think proper.

(2) A person appointed under paragraph (1) shall for such purpose as aforesaid represent the deceased person as fully and effectually as if that person had died intestate and administration of his estate had been duly granted to the person so appointed.

F1 [Art. 16\(1\)\(b\)](#) substituted (1.4.2007) by [Rates \(Consequential Provisions\) Order \(Northern Ireland\) 2007 \(S.R. 2007/192\)](#), art. 2(1), [Sch. 1 para. 4\(g\)](#)

Changes to legislation: County Courts (Northern Ireland) Order 1980, Cross Heading: Probate
Jurisdiction is up to date with all changes known to be in force on or before 05 August 2023. There are
changes that may be brought into force at a future date. Changes that have been made appear in the
content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Representatives to lodge accounts if required

17.—(1) The representatives of a deceased person the value of whose estate does not exceed^{F2} £45,000] shall, if so required in writing at any time after the expiration of twelve months from the death of that person, by a legatee, devisee, next-of-kin, heir, creditor or other person interested in the estate, make up and lodge in accordance with county court rules a duly verified account setting forth such particulars of the estate as shall be prescribed; and any representative failing to comply with such a requisition shall be guilty of contempt of court.

(2) Every such account shall be preserved among the records of the chief clerk and shall, as against the representative signing it, be evidence of the matters therein set forth.

F2 SR 1993/282

Changes to legislation:

County Courts (Northern Ireland) Order 1980, Cross Heading: Probate Jurisdiction is up to date with all changes known to be in force on or before 05 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)