

## SCHEDULES

### SCHEDULE 9

#### PROBATE

##### *Refusal to approve*

- 5 (1) If the Lord Chancellor proposes to refuse the application he shall give the applicant written notice of his proposal.
- (2) The notice shall—
- (a) give the Lord Chancellor’s reasons for proposing to refuse the application; and
  - (b) inform the applicant of the effect of sub-paragraph (3).
- (3) Where such a notice is served, it shall be the duty of the Lord Chancellor, before determining whether to grant or refuse the application, to consider any representations duly made by the applicant.
- (4) For the purposes of sub-paragraph (3), representations are duly made if—
- (a) they are made to the Lord Chancellor before the end of the period of 28 days beginning with the day on which the notice is served; and
  - (b) unless the Lord Chancellor directs in a particular case, they are in writing.
- (5) If the Lord Chancellor refuses the application he shall give notice to the applicant in writing.
- (6) Any notice given under sub-paragraph (5) must give the Lord Chancellor’s reasons for refusing the application.