



# Administration of Estates Act 1925

1925 CHAPTER 23 15 and 16 Geo 5

## PART II

### EXECUTORS AND ADMINISTRATORS

#### *General Provisions*

#### **7 Executor of executor represents original testator.**

- (1) An executor of a sole or last surviving executor of a testator is the executor of that testator.

This provision shall not apply to an executor who does not prove the will of his testator, and, in the case of an executor who on his death leaves surviving him some other executor of his testator who afterwards proves the will of that testator, it shall cease to apply on such probate being granted.

- (2) So long as the chain of such representation is unbroken, the last executor in the chain is the executor of every preceding testator.

- (3) The chain of such representation is broken by—

- (a) an intestacy; or
- (b) the failure of a testator to appoint an executor; or
- (c) the failure to obtain probate of a will;

but is not broken by a temporary grant of administration if probate is subsequently granted.

- (4) Every person in the chain of representation to a testator—

- (a) has the same rights in respect of the real and personal estate of that testator as the original executor would have had if living; and
- (b) is, to the extent to which the estate whether real or personal of that testator has come to his hands, answerable as if he were an original executor.

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**Changes to legislation:** There are currently no known outstanding effects for the Administration of Estates Act 1925, Section 7. (See end of Document for details)

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**Modifications etc. (not altering text)**

**C1** S. 7 excluded by [Administration of Estates Act 1971 \(c. 25\), s. 1\(3\)](#)

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