

EXPLANATORY NOTE

(This note is not part of the Rules)

This instrument brings into force new rules relating to non-contentious probate matters. They replace the existing non-contentious probate rules made in 1954 (as amended) and reflect changes in law and practice since that time.

The changes include a provision to ensure that executors not joining in an application for a grant of probate are nevertheless notified of the application: rule 27. There is also a provision for the grant of administration to a person acting as attorney under a registered enduring power of attorney: rule 35. Provision is no longer made to require a guarantee as a condition of granting letters of administration.