
STATUTORY INSTRUMENTS

2017 No. 1034

The Non-Contentious Probate (Amendment) Rules 2017

Amendments to the Non-Contentious Probate Rules 1987: personal applications

3.—(1) In rule 5 (personal applications), after paragraph (9) insert—

“(10) In any case where an application is made under rule 5B (personal applications using statement of truth), this rule applies with the exceptions and modifications provided by that rule.”.

(2) After rule 5A, insert—

“Personal applications using statement of truth

5B.—(1) A personal applicant may apply for a grant at any registry under this rule if invited to do so by that registry.

(2) An application under this rule must be made by completing and sending an application form in accordance with instructions given by the registry.

(3) Where an application is made under this rule, rule 5 applies with the following exceptions and modifications—

- (a) paragraphs (1), (7) and (8) do not apply;
- (b) paragraph (5) applies as if for the words “the district judge or registrar may approve” there were substituted “required by instructions given by the registry”; and
- (c) paragraph (6) applies as if for the words after “information” there were substituted “required by instructions given by the registry”.

(4) Where an application is made under this rule, rule 8 does not apply, and—

- (a) the application must be verified by a statement of truth by the applicant in the application form;
- (b) rule 9 applies as if for “shall depose to” there were substituted “state in the application”;
- (c) rule 10(1)(a) applies as if for “signatures of the applicant and the person before whom the oath is sworn” there were substituted “signature of the applicant”;
- (d) rule 27(1) applies as if at the end there were inserted “or, where the application is made under rule 5B, the applicant shall confirm in accordance with instructions given by the registry that such notice has been given”.