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STATUTORY INSTRUMENTS

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**1979 No. 1575**

**Administration of Estates (Northern Ireland) Order 1979**

**PART IV**

**EXECUTORS AND ADMINISTRATORS**

*Executors*

**Executor of executor represents original testator**

**32.**—(1) An executor of a sole or last surviving executor of a testator shall be the executor of that testator, but—

- (a) this paragraph shall not apply to a person who does not prove the will of his testator, and
- (b) 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, this paragraph shall cease to apply when probate is granted to that surviving executor.

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

(3) The chain of 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; or
- (d) a grant of administration in pursuance of Article 5;

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 estate of that testator as the original executor would have had if living; and
- (b) is, to the extent to which the estate of that testator has come to his hands, answerable as if he were an original executor.

**Changes to legislation:**

There are currently no known outstanding effects for the Administration of Estates (Northern Ireland) Order 1979, Section 32.