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STATUTORY INSTRUMENTS

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**1994 No. 1899**

**The Wills and Administration Proceedings  
(Northern Ireland) Order 1994**

**PART III**

**ADMINISTRATION OF ESTATES AND TRUSTS**

*Powers of High Court in proceedings relating to estates of deceased persons and trusts*

**Powers on compromise of probate action**

**34.**—(1) Where on a compromise of a probate action in the High Court—

- (a) the court is invited to pronounce for the validity of one or more wills, or against the validity of one or more wills, or for the validity of one or more wills and against the validity of one or more other wills; and
- (b) the court is satisfied that consent to the making of the pronouncement or, as the case may be, each of the pronouncements in question has been given by or on behalf of every relevant beneficiary,

the court may without more pronounce accordingly.

(2) In this Article—

“probate action” means an action for the grant of probate of the will, or letters of administration of the estate, of a deceased person or for the revocation of such a grant or for a decree pronouncing for or against the validity of an alleged will, not being an action which is non-contentious or common form probate business; and

“relevant beneficiary”, in relation to a pronouncement relating to any will or wills of a deceased person, means—

- (a) a person who under any such will is beneficially interested in the deceased’s estate, and
- (b) where the effect of the pronouncement would be to cause the estate to devolve as on an intestacy (or partial intestacy), or to prevent it from so devolving, a person who under the law relating to intestacy is beneficially interested in the estate.