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STATUTORY INSTRUMENTS

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**1994 No. 1899 (N.I. 13)**

**NORTHERN IRELAND**

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

*Made - - - - 19th July 1994  
Coming into operation in accordance with Article  
1(2)*

**THE WILLS AND ADMINISTRATION PROCEEDINGS  
(NORTHERN IRELAND) ORDER 1994**

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation

PART II

WILLS

*Scope of, and power to make, will*

3. Power to dispose of estate by will
4. Minority

*Execution of will*

5. Formalities for execution
6. Testamentary execution of power
7. Incompetency of witness
8. Gift to witness
9. Witnessing by creditor
10. Witnessing by executor
11. Alteration of will after execution

*Effect of marriage, divorce, etc.*

12. Effect of marriage
13. Effect of dissolution or annulment of marriage

*Status: This is the original version (as it was originally made).*

*Revocation, revival and confirmation*

- 14. Revocation
- 15. Revival of revoked will
- 16. Effect of re-execution or codicil

*Gifts*

- 17. Will speaks from death
- 18. Words of limitation unnecessary
- 19. Residuary dispositions to carry property comprised in lapsed and void gifts
- 20. Implied execution of general power of appointment
- 21. Contingent and future gifts carry the intermediate income
- 22. Gifts to children etc. who predecease testator
- 23. Presumption as to effect of gifts to spouses
- 24. Property subject to an option

*Interpretation of wills*

- 25. Extrinsic evidence
- 26. Construction of certain expressions
- 27. Construction and effect of references to failure of issue
- 28. Operative meaning to be preferred

*Rectification*

- 29. Rectification of wills

*Personal representatives*

- 30. Substitute executors: uncertainty about order of deaths

PART III

ADMINISTRATION OF ESTATES AND TRUSTS

*Limitation of actions*

- 31. Executors de son tort

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

- 32. Power to make judgments binding on persons who are not parties
- 33. Power to authorise action to be taken in reliance on counsel's opinion
- 34. Powers on compromise of probate action
- 35. Power to appoint substitute for, or to remove, personal representative

PART IV

GENERAL

- 36. Transitional provisions and savings
- 37. Amendments
- 38. Repeals
- Signature

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SCHEDULES:

Schedule 1 — — Transitional provisions and savings.

Schedule 2 — — Amendments.

Schedule 3 — — Repeals.

Explanatory Note