



Administration of Justice Act 1982

1982 CHAPTER 53

PART IV

WILLS

Registration of wills

PROSPECTIVE

23 Deposit and registration of wills of living persons.

- (1) The following, namely—
 - (a) the Principal Registry of the Family Division of the High Court of Justice;
 - (b) the Keeper of the Registers of Scotland; and
 - (c) the Probate and Matrimonial Office of the [^{F1}Court of Judicature] of Northern Ireland,shall be registering authorities for the purposes of this section.
- (2) Each registering authority shall provide and maintain safe and convenient depositories for the custody of the wills of living persons.
- (3) Any person may deposit his will in such a depository in accordance with regulations under section 25 below and on payment of the prescribed fee.
- (4) It shall be the duty of a registering authority to register in accordance with regulations under section 25 below—
 - (a) any will deposited in a depository maintained by the authority; and
 - (b) any other will whose registration is requested under Article 6 of the Registration Convention.
- (5) A will deposited in a depository provided—
 - (a) under section 172 of the ^{M1}Supreme Court of Judicature (Consolidation) Act 1925 or section 126 of the ^{M2}[^{F2}Senior Courts Act 1981]; or

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1982, Section 23. (See end of Document for details)

(b) under Article 27 of the ^{M3}Administration of Estates (Northern Ireland) Order 1979,

shall be treated for the purposes of this section as if it had been deposited under this section.

(6) In this section “prescribed” means—

- (a) in the application of this section to England and Wales, prescribed by an order under [^{F3}section 92 of the Courts Act 2003];
- (b) in its application to Scotland, prescribed by an order under section 26 below; and
- (c) in its application to Northern Ireland, prescribed by an order under section 116 of the ^{M4}Judicature (Northern Ireland) Act 1978.

Textual Amendments

- F1** Words in s. 23(1)(c) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59\(5\), 148\(1\), Sch. 11 para. 27\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)
- F2** S. 23(5)(a) for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\), ss. 59, 148\(1\), Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2](#)
- F3** Words in s. 23(6)(a) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), ss. 109\(3\), 110\(1\), Sch. 8 para. 270](#); S.I. 2005/910, [art. 3\(y\)](#)

Marginal Citations

- M1** 1925 c. 49.
- M2** 1981 c. 54.
- M3** S.I. 1979 No. 1575 (N.I. 14)
- M4** 1978 c. 23.

Status:

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Changes to legislation:

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