
STATUTORY INSTRUMENTS

1987 No. 2024

The Non-Contentious Probate Rules 1987

Grants in respect of settled land

29.—(1) In this rule “settled land” means land vested in the deceased which was settled previously to his death and not by his will and which remained settled land notwithstanding his death.

(2) The special executors in regard to settled land constituted by section 22 of the Administration of Estates Act 1925(1) shall have a prior right to a grant of probate limited to settled land.

(3) The person or persons entitled to a grant of administration limited to settled land shall be determined in accordance with the following order of priority, namely—

- (i) the trustees of the settlement at the time of the application for the grant;
- (ii) the personal representatives of the deceased.

(4) Where the persons entitled to a grant in respect of the free estate are also entitled to a grant of the same nature in respect of settled land, a grant expressly including the settled land may issue to them.

(5) Where there is settled land and a grant is made in respect of the free estate only, the grant shall expressly exclude the settled land.