
STATUTORY INSTRUMENTS

1987 No. 2024

The Non-Contentious Probate Rules 1987

Renunciation of probate and administration

37.—(1) Renunciation of probate by an executor shall not operate as renunciation of any right which he may have to a grant of administration in some other capacity unless he expressly renounces such right.

(2) Unless a registrar otherwise directs, no person who has renounced administration in one capacity may obtain a grant thereof in some other capacity.

(3) A renunciation of probate or administration may be retracted at any time with the leave of a registrar; provided that only in exceptional circumstances may leave be given to an executor to retract a renunciation of probate after a grant has been made to some other person entitled in a lower degree.

(4) A direction or order giving leave under this rule may be made either by the registrar of a district probate registry where the renunciation is filed or by a registrar of the Principal Registry.