STATUTORY INSTRUMENTS

1987 No. 2024

The Non-Contentious Probate Rules 1987

Power to require applications to be made by summons

61.—(1) A registrar may require any application to be made by summons to a registrar in chambers or a judge in chambers or open court.

(2) An application for an inventory and account shall be made by summons to a registrar.

(3) A summons for hearing by a registrar shall be issued out of the registry in which it is to be heard.

(4) A summons to be heard by a judge shall be issued out of the Principal Registry.

Commencement Information

I1   Rule 61 in force at 1.1.1988, see **rule 1**

Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Non-Contentious Probate Rules 1987. Any changes that have already been made by the team appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :
– Third Sch. inserted by S.I. 2020/1059 rule 3(4)
– rule. 32(1)(a)(iii) words inserted by S.I. 2005/3504 art. 4(a)
– rule. 32(1)(ab) inserted by S.I. 2005/3504 art. 4(b)
– rule. 32(1)(ba)(bb) inserted by S.I. 2005/3504 art. 4(c)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:
Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):
– Table of Contents words inserted by S.I. 1998/1903 rule 2(a) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)
– Table of Contents words inserted by S.I. 1998/1903 rule 2(b) (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be dynamically updated when its provisions are revised)
– Table of Contents words substituted by S.I. 2003/185 rule 4 (This amendment not applied to legislation.gov.uk. The table of contents for this legislation will be updated dynamically when its provision are revised)
– Sch. 1 Form 6 words inserted by S.I. 2005/2114 art. 2(6)Sch. 6 para. 2(5)
– Rules modified in part by S.I. 1991/2684 art. 45Sch. 1
– rule 2A inserted by S.I. 2020/1059 rule 4(2)
– rule 3A inserted by S.I. 2020/1059 rule 2(1)
– rule 4(1A) inserted by S.I. 2017/1034 rule 2(1)
– rule 4(1A) words substituted by S.I. 2019/1057 rule 3
– rule 4A inserted by S.I. 2017/1034 rule 2(2)
– rule 4A omitted by S.I. 2020/1059 rule 3(3)
– rule 4A substituted by S.I. 2019/1057 rule 4
– rule 4A(2) omitted by S.I. 2018/1137 rule 3
– rule 5(9) inserted by S.I. 2016/972 rule 2(1)
– rule 5(9) substituted by S.I. 2018/1137 rule 4(5)
– rule 5(10) inserted by S.I. 2017/1034 rule 3(1)
– rule 5(10) substituted by S.I. 2018/1137 rule 4(6)
– rule 5A inserted by S.I. 2016/972 rule 2(2)
– rule 5A heading substituted by S.I. 2019/1057 rule 6
– rule 5A heading words substituted by S.I. 2018/1137 rule 6(2)
– rule 5A(2) words inserted by S.I. 2018/1137 rule 6(3)
– rule 5A(3)(b) omitted by S.I. 2018/1137 rule 6(4)
– rule 5A(4) omitted by S.I. 2018/1137 rule 6(4)
– rule 5B inserted by S.I. 2017/1034 rule 3(2)
– rule 5B omitted by S.I. 2018/1137 rule 7
– rule 5ZA inserted by S.I. 2018/1137 rule 5
– rule 5ZA(1) word substituted by S.I. 2019/1057 rule 5
– rule 8(1)(a)(b) and words substituted for words in rule 8(1) by S.I. 2018/1137 rule 8(3)
– rule 27(1)(1A) substituted for rule 27(1) by S.I. 1991/1876 rule 8(1)
– rule 27(1A) words omitted by S.I. 1998/1903 rule 7(1)
– rule 32(1)(a)(i) substituted by S.I. 2009/1893 rule 3
– rule 32(1)(b) word inserted by S.I. 1998/1903 rule 8(2)

- rule 32(1)(c) inserted by S.I. 1998/1903 rule 8(3)
- rule 32(1)(aa) inserted by S.I. 1998/1903 rule 8(1)
- reg. 32(1)(aa) words substituted by S.I. 2014/852 art. 3
- rule 37(2A) inserted by S.I. 1998/1903 rule 10
- rule 43(1)(a)-(c) and word substituted for words in rule 43(1) by S.I. 2018/1137 rule 13(2)
- rule 44(2)(b)(i)(ii) and word substituted for words in rule 44(2)(b) by S.I. 2018/1137 rule 14(2)
- rule 44(3)(a)(i)-(iii) and word substituted for words in rule 44(3)(a) by S.I. 2018/1137 rule 14(3)
- rule 44(15) inserted by S.I. 1998/1903 rule 11(3)
- rule 61(5)(6) inserted by S.I. 2018/1137 rule 17
- rule 62A inserted by S.I. 1998/1903 rule 14
- rule 65(3) inserted by S.I. 2003/185 rule 6