
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 57

PROBATE CLAIMS

RECTIFICATION OF WILLS

SUBSTITUTION AND REMOVAL OF PERSONAL REPRESENTATIVES

SECTION III—SUBSTITUTION AND REMOVAL OF PERSONAL REPRESENTATIVES

[^{F1}57.13.—(1) This Section contains rules about claims and applications for substitution or removal of a personal representative.

(2) Claims under this Section must be brought in the High Court and are assigned to the Chancery Division.

(Section 50 of the Administration of Justice Act 1985(1) gives the High Court power to appoint a substitute for, or to remove, a personal representative.)

(3) Every personal representative of the estate shall be joined as a party.

(4) The practice direction makes provision for lodging the grant of probate or letters of administration in a claim under this Section.

(5) If substitution or removal of a personal representative is sought by application in existing proceedings, this rule shall apply with references to claims being read as if they referred to applications.]

Textual Amendments

F1 Pt. 57 inserted (15.10.2001) by [The Civil Procedure \(Amendment No. 2\) Rules 2001 \(S.I. 2001/1388\)](#), rule 1(b), [Sch.](#) (with rule 19)

Status:

Point in time view as at 01/10/2002.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 57.13.