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STATUTORY INSTRUMENTS

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**2017 No. 1034**

**The Non-Contentious Probate (Amendment) Rules 2017**

**Amendments to the Non-Contentious Probate Rules 1987: applications through solicitors or probate practitioners**

2.—(1) In rule 4 (applications for grants through solicitors or probate practitioners), after paragraph (1) insert—

“(1A) A person applying for a grant through a solicitor or probate practitioner may also apply for a grant at any registry under rule 4A if invited to do so by that registry.”.

(2) After rule 4, insert—

**“Alternative procedure for applications through solicitors or probate practitioners**

**4A.**—(1) An application under this rule must be made by completing and sending an online application form in accordance with instructions given by the registry.

(2) Where an application is made under this rule, rule 8 does not apply, and—

- (a) the application must be verified by a statement of truth in the online application form;
- (b) rule 10(1)(a) applies as if for “signatures of the applicant and the person before whom the oath is sworn” there were substituted “signature of the applicant or of the solicitor or probate practitioner through whom the application is made”;
- (c) rule 27(1) applies as if at the end there were inserted “or, where the application is made under rule 4A, the solicitor or probate practitioner through whom the application is made shall confirm in accordance with instructions given by the registry that such notice has been given”;
- (d) rule 36 applies as if—
  - (i) in paragraph (1), for “such officer shall depose in the oath” there were substituted “the statement of truth must include a statement”;
  - (ii) in paragraph (2)(b), for “it shall be deposed in the oath” there were substituted “the statement of truth must include a statement”;
  - (iii) in paragraph (4)(c), for “nominee or attorney shall depose in the oath” there were substituted “statement of truth must include a statement”.

(3) Where original documents are required by instructions given by the registry to be sent in support of the application, they must be sent separately to the registry in accordance with such instructions.”.