
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART III

ORIGINAL CIVIL JURISDICTION

Probate Jurisdiction

Power to grant limited administration

16.—(1) Where—

- (a) a person dies concerning whose property any proceedings are pending in a county court; and
- [^{F1}(b) subject to paragraph (iii), the gross value of his property (exclusive of property to which he was entitled as a trustee and not beneficially) so far as it consists of property other than land does not exceed £45,000 in value and so far as it consists of land does not exceed—
 - (i) in the case where the land has a net annual value, £4,060;
 - (ii) in the case where the land has a capital value, £400,000;
 - (iii) in the case where the land has a net annual value and a capital value, both conditions in sub-paragraphs (i) and (ii) of paragraph (b) are satisfied.]
- (c) the judge is satisfied that representation has not been raised to him or that no representative is available for the purpose of the proceedings;

the judge may by order in writing under his hand appoint as executor for the purpose only of such proceedings such person as the judge may think fit; and such order shall be made subject to such conditions as to the giving of security and otherwise as the judge may think proper.

(2) A person appointed under paragraph (1) shall for such purpose as aforesaid represent the deceased person as fully and effectually as if that person had died intestate and administration of his estate had been duly granted to the person so appointed.

F1 Art. 16(1)(b) substituted (1.4.2007) by Rates (Consequential Provisions) Order (Northern Ireland) 2007 (S.R. 2007/192), art. 2(1), Sch. 1 para. 4(g)

Changes to legislation:

County Courts (Northern Ireland) Order 1980, Section 16 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- [Instrument am \(prosp\) by S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)