

---

STATUTORY INSTRUMENTS

---

**1987 No. 2024**

**The Non-Contentious Probate Rules 1987**

**Personal applications**

- 5.—(1) A personal applicant may apply for a grant at any registry or sub-registry.
- (2) Save as provided for by rule 39 a personal applicant may not apply through an agent, whether paid or unpaid, and may not be attended by any person acting or appearing to act as his adviser.
- (3) No personal application shall be proceeded with if—
- (a) it becomes necessary to bring the matter before the court by action or summons;
  - (b) an application has already been made by a solicitor on behalf of the applicant and has not been withdrawn; or
  - (c) the registrar so directs.
- (4) After a will has been deposited in a registry by a personal applicant, it may not be delivered to the applicant or to any other person unless in special circumstances the registrar so directs.
- (5) A personal applicant shall produce a certificate of the death of the deceased or such other evidence of the death as the registrar may approve.
- (6) A personal applicant shall supply all information necessary to enable the papers leading to the grant to be prepared in the registry.
- (7) Unless the registrar otherwise directs, every oath or affidavit required on a personal application shall be sworn or executed by all the deponents before an authorised officer.
- (8) No legal advice shall be given to a personal applicant by an officer of a registry and every such officer shall be responsible only for embodying in proper form the applicant's instructions for the grant.