STATUTORY INSTRUMENTS

# 2016 No. 972 (L. 17)

# SENIOR COURTS OF ENGLAND AND WALES

## The Non-Contentious Probate (Amendment) Rules 2016

| | |
|---|---|
| *Made - - - -* | *3rd October 2016* |
| *Laid before Parliament* | *7th October 2016* |
| *Coming into force - -* | *1st November 2016* |

The President of the Family Division of the High Court (the judicial office holder nominated by the Lord Chief Justice), with the agreement of the Lord Chancellor, makes the following Rules in exercise of the powers conferred by section 127 of the Senior Courts Act 1981(**1**).

### Citation, commencement and interpretation

**1.**—(1) These Rules may be cited as the Non-Contentious Probate (Amendment) Rules 2016, and come into force on 1st November 2016.

(2) In these Rules, a reference to a rule by number alone means the rule so numbered in the Non-Contentious Probate Rules 1987(**2**).

### Amendments to the Non-Contentious Probate Rules 1987

**2.**—(1) In rule 5 (personal applications), after paragraph (8) insert—

"(9) In any case where an application is made under rule 5A (alternative procedure for personal applications), this rule applies with the exceptions and modifications provided by that rule.".

(2) After rule 5, insert—

"**Alternative procedure for personal applications**

**5A.**—(1) A personal applicant may apply for a grant at any registry under this rule if invited to do so by that registry.

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

(**1**) 1981 c.54. Section 127 was amended by sections 12(2) and 146 of, and paragraphs 11 and 12 of Part 2 of Schedule 1, and Part 1 of Schedule 18 to, the Constitutional Reform Act 2005 (c.4), and section 59(5) of, and paragraph 1 of Part 1 of Schedule 11 to, the Constitutional Reform Act 2005 provided for the Supreme Court Act 1981 to be cited as the Senior Courts Act 1981.

(**2**) S.I. 1987/2024. Relevant amendments were made by S.I. 1998/1903, and other amendments by S.I. 1991/1876, S.I. 1999/1015, S.I. 2003/185, S.I. 2004/2985, S.I. 2005/3504, S.I. 2007/1898, S.I. 2009/1893 and S.I. 2014/852.