



Statutory Document No. 356/09

## ADMINISTRATION OF ESTATES ACT 1990

### PROBATE (AMENDMENT) RULES 2009

*Coming into operation*

*1st September 2009*

The Deemsters make these Rules under section 9 of the Administration of Estates Act 1990<sup>1</sup>.

#### **1. Title and commencement**

- (1) The title of these Rules is the Probate (Amendment) Rules 2009.
- (2) These Rules shall come into operation on the 1st September 2009.

#### **2. Amendment of 1988 Rules**

- (1) The Probate Rules 1988<sup>2</sup> are amended as follows.
- (2) In rule 2(1), for the definition of "the Court" substitute —  
    ""the Court", subject to rule 3, means the Civil Division of the High Court;"
- (3) In rule 3(1), for "Deemster in chambers" substitute "judge in private".
- (4) In rules 3(2) and (3), 33(2)(b), 34(10) and 41(4), for "Deemster" substitute "judge".
- (5) In rule 42(2), for "1952" substitute "2009".
- (6) In rule 45, for "Order 47 of the Rules of the High Court of Justice 1952" substitute "Chapter 5 of Part 2 of the Rules of the High Court of Justice 2009<sup>3</sup>".
- (7) In the Schedule, in form 1, for —  
    "COMMON LAW DIVISION  
    TESTAMENTARY BUSINESS"  
substitute —

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<sup>1</sup> 1990 c.17

<sup>2</sup> GC 166/88

<sup>3</sup> SD 352/09

Price 50p

"CIVIL DIVISION  
PROBATE BUSINESS".

MADE 14th May 2009

*J. M. Kerruish*

Her Majesty's First Deemster and Clerk of the Rolls

*D. C. Doyle*

Second Deemster

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EXPLANATORY NOTE

*(This note is not part of the Rules.)*

These Rules make amendments of the Probate Rules 1988 consequential on the Administration of Justice Act 2008 and the Rules of the High Court of Justice 2009.