

# Guidance Notes for Probate Application Form PA1

These notes will help you to complete the parts of form PA1 marked \*

## Section A

- A1** Please enclose the original will and any codicils with your application (**not** a photocopy).
- A4** Please state the names of any executors named in the will who are not applying for the Grant of Probate and show one of the following reasons for this:-
- A The executor died before the deceased.
  - B The executor died after the deceased.
  - C The executor does not wish to apply for probate now but wishes to reserve the right to act as executor in the future if necessary – this option is referred to as having “power reserved”.
  - D The executor does not wish to apply for probate at all. This is referred to as “renouncing”. It means that he / she gives up all his/her rights to act as executor.
  - E The executor wants to appoint another person to act as his / her attorney to take the Grant of Representation out on his / her behalf. Please note, however, that the attorney of one executor cannot take a grant jointly with an executor acting in his own right.

If you give reason D or E, please send a letter signed by the executor stating their intention when you send the application to the Probate Registry. If option C, D, or E is stated the Probate Registry will, on receipt of your application, send you a form for the executor(s) to sign to confirm their intention. You should arrange for this to be completed and then return it to the Probate Registry as instructed.

Example for A4:

A will appoints three executors – Brian Jones, Valerie Jones and Frank Smith. Brian Jones wishes to apply for the grant, Frank Smith dies before the deceased and Valerie Jones does not wish to apply for the grant at present, as she works full time and cannot attend the appointment. Valerie wishes to keep her options open however, just in case it becomes necessary for her to take out a Grant of Probate in future e.g. if Brian Jones dies before he has completed the administration. The form would be completed as follows:

Frank Smith	A
Valerie Jones	C

The Grant of Probate will issue to Brian Jones with “power reserved” to Valerie Jones. Valerie Jones will be asked to sign a “power reserved” form.

## Section B

Please complete the **whole** of Section B

Note:

- This section refers to blood relatives only; details of step relatives are not required.
- The term “survived” means the person was alive when the deceased died.
- If the deceased had any half brothers or sisters / uncles / aunts (i.e. only one parent in common), please indicate this on the form.

## B2(c), B4(c), and B6(c)

B2(c) – Do **not** include children of sons / daughters of the deceased who survived the deceased.

B4(c) – Do **not** include children of brothers / sisters of the deceased who survived the deceased.

B6(c) – Do **not** include children of aunts / uncles of the deceased who survived the deceased.

## Section C

### C10

If you are applying on behalf of the person entitled to the grant (i.e. as their attorney), you should send a letter signed by them confirming that they want you to apply with your application. If the person entitled to the grant has already signed an Enduring Power of Attorney, please send the original document to us.

## Section D

### D1 - D2

Please state the full **true** name of the deceased. The true name consists of the forenames as shown on the person's birth certificate and the surname as shown on the death certificate.

### D3 - D4

If the deceased had any assets in any name(s) other than his / her true name these should be stated. You do not need to show here any assets held jointly with another person.

Example for D1 - D4:

Name on birth certificate	Emma Louise <b>Jones</b>
Name on death certificate	Emma Louise <b>Smith</b>

The deceased's true name is Emma Louise Smith.

The deceased had a bank account in the name of Louise Smith and was commonly known by this name. The form should be completed as follows:

Forenames	<b>Emma Louise</b>
Surname	Smith
Did the deceased hold any assets (excluding joint assets) in another name?	Yes
If yes, what are the assets?	Lloyds Bank Account
And in what name(s) are they held?	<b>Louise Smith</b>

The grant will issue in the name of "Emma Louise Smith otherwise known as Louise Smith".

**D9** You do not need to supply a copy of the Decree Absolute or decree of Judicial Separation if the deceased left a will.

### D10 - D11

If the deceased did **not** leave a will and the applicant for the grant is the adoptor/adoptee of the deceased, please file a copy of the entry in the Adopted Children's Register. An official copy of the entry in the Adopted Children's Register can be obtained from The General Register Office, Adoption Section, Smedley Hydro, Trafalgar Road, Birkdale, Southport PR8 2HH.

**If you have any general enquiries, please telephone  
the Probate and Inheritance Tax Helpline  
Telephone number: 0845 3020900 (calls to this number are charged at local rate)**