

ADMINISTRATION AND PROBATE.

No. 6 of 1960.

An Ordinance to amend the *Administration and Probate Ordinance 1929-1953.*

1.—(1.) This Ordinance may be cited as the *Administration and Probate Ordinance 1960.** Short title and citation.

(2.) The *Administration and Probate Ordinance 1929-1953*,† as amended by this Ordinance, may be cited as the *Administration and Probate Ordinance 1929-1960.*

2. This Ordinance shall come into operation on the twelfth day of September, One thousand nine hundred and sixty. Commencement.

3. Section eighty-seven of the *Administration and Probate Ordinance 1929-1953* is repealed and the following section inserted in its stead:—

“ 87.—(1.) The Curator shall charge an estate which he is administering under a will or intestacy, and take from the estate, a commission at the rate of Five pounds per centum on— Curator's commission.

(a) all moneys in the estate collected by him, including moneys received as income or from the realization of assets of the estate; and

(b) the value, fixed by the Curator, of unrealized real and personal property in the estate transferred or delivered unconverted into money to a person entitled to the property under the will or intestacy.

“ (2.) The Curator shall pay the amount of the commission taken into the Consolidated Revenue Fund.”

4. The Second and Third Schedules to the *Administration and Probate Ordinance 1929-1953* are repealed and the following Schedule is inserted in their stead:— Third Schedule.

THIRD SCHEDULE.

	Section 130.
FEES.	£ s. d.
1. For a search	0 3 0
2. For filing documents in support of an application for probate or administration (other than documents in support of an application under Part VI. of this Ordinance)—	
(a) where the gross value of the estate does not exceed £500 ..	1 5 0

* Made on 5th September, 1960; notified in the *Commonwealth Gazette* on 9th September, 1960, and commenced on 12th September, 1960.

† Ordinance No. 18, 1929, as amended by Ordinance No. 11, 1930; No. 13, 1932; No. 9, 1933; Nos. 2 and 6, 1934; Nos. 3, 13 and 27, 1937; No. 35, 1938; No. 7, 1943; No. 15, 1947; No. 16, 1950; No. 5, 1953; and No. 2, 1954.

THIRD SCHEDULE—continued.

	£	s.	d.
(b) where the gross value of the estate exceeds £500 but does not exceed £1,000	2	0	0
(c) where the gross value of the estate exceeds £1,000 but does not exceed £2,000	2	15	0
(d) where the gross value of the estate exceeds £2,000 but does not exceed £8,000—			
For the first £2,000 of the gross value	2	15	0
For each £2,000 (or part of £2,000) of the gross value in excess of £2,000	0	15	0
(e) where the gross value of the estate exceeds £8,000 but does not exceed £10,000	6	0	0
(f) where the gross value of the estate exceeds £10,000 but does not exceed £40,000—			
For the first £10,000 of the gross value	6	0	0
For each £5,000 (or part of £5,000) of the gross value in excess of £10,000	1	0	0
(g) where the gross value of the estate exceeds £40,000	15	0	0
3. For filing a subsequent affidavit or other document in response to the Registrar's requisition or otherwise in support of an application for probate or administration	0	3	0
4. For filing accounts	0	8	0
5. For an appointment before the Registrar or Deputy Registrar to vouch accounts, for each hour or part of an hour	1	5	0
6. For any other appointment before the Registrar or Deputy Registrar ..	0	13	0
7. For an attendance by the Registrar, or other officer of the Court, before the Court on the return date of a summons	1	10	0
8. For the issue of a certificate of the Registrar or Deputy Registrar ..	0	10	0
9. For filing a notice of motion returnable before the Judge, the Registrar or Deputy Registrar	1	0	0
10. For filing a petition	1	0	0
11. For the preparation, issue and service of a summons under section 59 of this Ordinance	0	15	0
12. For the issue and service of a summons other than a summons under section 59 of this Ordinance	1	0	0
13. For filing an order	0	12	0
14. For the issue of a citation (including the filing of a praecipe and affidavit)	0	10	0
15. For the issue of a subpoena (including the filing of a praecipe) ..	0	12	0
16. For filing a caveat	0	7	0
17. For filing a statement of claim	1	0	0
18. On each copy of a statement of claim for service	0	10	0
19. For filing an appearance	0	10	0
20. For filing a statement of defence	1	0	0
21. For setting down for hearing (including the filing of a notice) ..	1	0	0
22. For amending a statement of a claim or any other pleading or document	0	15	0
23. For filing a decree	2	10	0
24. For filing a notice of appeal	1	0	0
25. For a typewritten office copy of a will or other document—			
(a) where there are not more than 8 folios (of 72 words each) ..	0	10	0
(b) where there are more than 8 folios, per folio	0	1	3
26. For an office copy, reproduced by photographic process, of a will or other document, per page	0	10	0

THIRD SCHEDULE—*continued.*

	£	s.	d.
27. For the preparation of probate or letters of administration with the will annexed	1	5	0
And, in addition, where the will comprises more than one page, for each page after the first	0	7	0
28. For the preparation of an exemplification or certified copy of probate or letters of administration with the will annexed (in addition to the fees prescribed for an office copy of the will)	0	13	0
29. For the preparation of letters of administration upon intestacy ..	0	13	0
30. For the preparation of an exemplification or certified copy of letters of administration upon intestacy	0	13	0
31. For the certification of a copy of probate or letters of administration with or without a will annexed or an exemplification	1	5	0
32. For filing a bill of costs (including appointment and allocatur or certificate)	0	15	0
33. For taxing costs or moderating costs—			
(a) up to £10	0	7	0
(b) over £10, a percentage of the amount allowed at the rate per centum of	2	10	0
34. For filing any other document for which a fee is not elsewhere prescribed	0	3	0