

9A. Orders to administer

- (1) An application by the Public Trustee for an order to administer the estate of a deceased person dying testate shall be supported by an affidavit setting forth —
 - (a) the information required by rule 8, other than paragraphs (i) and (ix); and
 - (b) the grounds upon which the application is based.
- (2) An application by the Public Trustee for an order to administer the estate of a deceased person dying intestate shall be supported by an affidavit setting forth —
 - (a) the information required by rule 9, other than paragraph (i) and paragraphs (vi) to (viii) inclusive;
 - (b) particulars of the persons entitled in distribution to the estate of the intestate, in so far as they are known to the Public Trustee; and
 - (c) the grounds upon which the application is based.
- (3) An order under section 10 of the *Public Trustee Act 1941*, to administer the estate of a deceased person shall reserve to the Court the right to grant probate or administration to any person who shall apply therefor and who might have obtained a grant if the order had not been made.
- (4) Where an order to administer the estate of a deceased person has been granted to the Public Trustee, a person who applies for probate of the will or administration of the estate of the deceased shall give at least 7 days' notice in writing to the Public Trustee of the intended application.
- (5) An application to the Court under section 12 of the *Public Trustee Act 1941*, other than an application by the Public Trustee, shall be made by summons supported by an affidavit of the facts relied on; and copies of the summons and affidavit shall be served upon the Public Trustee at least 2 clear days before the return day.

[Rule 9A inserted in Gazette 20 October 1972 p.4160; amended by Gazette 17 October 1986 p.3894.]