

#### **4. Jurisdiction of the Registrar**

- (1) The Registrar may exercise the powers of a Judge in Chambers in and about the granting of probate and administration, and in and about the granting to the Public Trustee of orders to administer the estates of deceased persons, and may transact all such business and exercise all such powers and authorities in respect of voluntary or non-contentious probate jurisdiction as under the Act, the *Supreme Court Act 1935*, the *Public Trustee Act 1941*, the *Rules of the Supreme Court 1971*, or these rules, may be transacted or exercised by a Judge in Chambers, except in respect of the following proceedings and matters, that is to say —
  - (a) applications and orders under section 26(2) and (6) of the Act;
  - (b) subject to the provisions of rule 35(1) and (2), applications and orders under section 29 of the Act; and
  - (c) applications under section 64 of the Act to remove caveats.
- (2) Nothing contained in these rules derogates from or limits the jurisdiction or powers conferred by the Act on a Registrar.
- (3) The Registrar may require an application made to him to be brought by summons, and may require an application made to him, whether by summons or otherwise, to be brought before a Judge by summons or before the Court on motion.
- (4) Without prejudice to the provisions of subrule (3), where a matter appears to the Registrar proper for the determination of a Judge, the Registrar may refer it to a Judge, and the Judge may either dispose of the matter or refer it back to the Registrar with such directions as he may think fit.

*[Rule 4 amended in Gazette 20 October 1972 p.4159; 7 October 1977 p.3604; 14 December 1979 p.3876.]*