# PA1P — Probate application

This form is for an application where the person who **has died left a will**

**Checklist – before you send your application form to HMCTS Probate you will need to enclose the following. This checklist must be completed. If you do not enclose all of the required documents it will delay your application. Please keep copies of all documents that you send.**

- ☐ PA1P - Probate Application (this form) - where a person who has died has left a will.
- ☐ Inheritance Tax Summary Form: Please submit the appropriate form (IHT205 or IHT207, and IHT217 if applicable), signed by all applicants (see additional notes in Section 7).
- ☐ The last original will and any codicils made since that will.
- ☐ A copy of any foreign wills or any wills dealing with assets held outside England and Wales (and if not in English, an English translation) .
- ☐ An official copy (**not** a photocopy) of the death certificate, or a coroner's interim certificate of the person who has died (Not required for legal professionals).
- ☐ Any other documents requested on this form. Please list them:

As well as the application fee, there is a fee for each official copy of the Grant of Representation that we provide.

How many official copies of the Grant of Representation do you require for use **in** the United Kingdom? ☐

How many official copies of the Grant of Representation do you require for use **outside** of the United Kingdom? ☐

| | |
|---|---|
| Application fee | £ |
| Fees for copies | £ |
| **Total fees** | £ |

- ☐ A cheque/postal order payable to '**HMCTS**' in respect of HMCTS's fees. Please write the name of the person who has died on the back of the cheque.

For legal professionals

- ☐ If you have a Payment by Account number please give it here

If you need help filling out this form please call the

**Probate Helpline**
**0300 303 0648**

We cannot provide legal advice

**Did you know you can apply for Probate online?**

Go to www.gov.uk/applying-for-probate/apply-for-probate

**Checklist note –**

**Original Will**

HMCTS will keep the original Will as it becomes a public document and by law, we must keep it when we grant probate to an Executor.

**Codicil**

These are additional documents that update the Will.

**Do not attach** anything to or remove anything from the original will/codicils. Also, make sure that you keep a copy for yourself.

**Other Documents** - Include here if you are requesting that a Grant obtained in a Foreign Country is to be sealed by the District Probate Registry for use in England and Wales.

Only state here the extra number of copies of the grant you require for use In the United Kingdom. This is in addition to the Grant of Representation included in the application fee.

Information on Fees and where to send your documents can be found at https://www.gov.uk/guidance/apply-for-probate-on-paper-as-a-practitioner



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## SECTION A – PERSONAL INFORMATION

**Please complete in BLOCK capitals placing a tick in boxes where applicable.**

### 1. **About the applicant(s)** – All applicants must be over 18 years and a maximum of 4 may apply

**1.1** Title and full name including middle names of **first applicant**

Title

First name(s)

Middle name(s)

Last name

**1.2** Is the name of the **first applicant** different in the will and codicil?

☐ Yes, give the name as it appears in the will or codicil in the box below

☐ No

**1.3** Are there any other differences in the will, such as a successor appointed?

☐ Yes, give details the box below

☐ No

**Note 1.1 – First Applicant**

If you're making a joint application, the first applicant is nominated by all applicants to apply on their behalf. We'll send the first applicant all correspondence and the Grant of Representation or to your legal representative, if named.

Only list applicants who wish to be named on the grant in this section. They will be required to sign the declaration in Part B. Please note that names you provide here must be the same as the applicant's identification documents such as their Passport or Driving License. You do not need to send these documents in with your application..

If the applicant is a firm, company, or corporation, please insert the full name in the 'First Name(s) box

When there are no executors applying and there are persons aged under 18 benefiting from the estate then two applicants (or at least two) will be needed in Section A. You may wish to contact HMCTS Probate to seek information in regard to who is eligible to apply. If you are applying on behalf of an executor under power of attorney, you should provide your details in section A and provide their details in Section 5 of this form.

**1.4** First applicant's address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**1.5** First applicant's home telephone number

**1.6** First applicant's mobile/work telephone number

**1.7** First applicant's email address

**Note 1.7 –** we will use your email address to send you updates about the progress of your application.

**1.8** Title and full name including middle names of **second applicant**

Title

First name(s)

Middle name(s)

Last name

**Note 1.8 –** If the applicant is a firm, company, or corporation, please insert the full name in the 'First Name(s) box

**1.9** Is the name of the **second applicant** different in the will and codicil?

☐ Yes, give the name as it appears in the will or codicil in the box below

☐ No

**1.10** Second applicant's address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**1.11** Second applicant's email address

**1.12** Title and full name including middle names of **third applicant**

Title

First name(s)

Middle name(s)

Last name

**1.13** Is the name of the **third applicant** different in the will and codicil?

☐ Yes, give the name as it appears in the will or codicil in the box below

☐ No

**1.14** Third applicant's address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**1.15** Third applicant's email address

**1.16** Title and full name including middle names of **fourth applicant**

Title

First name(s)

Middle name(s)

Last name

**1.17** Is the name of the **fourth applicant** different in the will and codicil?

☐ Yes, give the name as it appears in the will or codicil in the box below

☐ No

**1.18** Fourth applicant's address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**1.19** Fourth applicant's email address

**1.20** Do you have a legal representative acting for you?

- ☐ Yes, give details below
- ☐ No, **go to Section B**

Legal representative's name

Name of legal representative's firm

Reference number

Address

Building and street

Second line of address

Town or city

County (optional)

Postcode

Email address

Phone number

**Note 1.20 –** A legal representative is either a solicitor or other professional who is licensed and authorised by their governing body to carry out the reserved legal service of probate in accordance with the Legal Services Act 2007

## SECTION B

The information you provide in this section of the application form will be the basis of your statement of truth, and it will be stored as a public record.

If you need help filling out this form please call the

**Probate Helpline**
**0300 303 0648**

We cannot provide legal advice

## 2. About the person who has died

**2.1** Forename(s) (including all middle names) as they appear on the Death Certificate

**2.2** Surname as it appears on the Death Certificate

**2.3** Permanent address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**2.4** Date they were born

**2.5** Date they died

**Note 2.4 and 2.5 –** You can find these dates on the Death Certificate or Coroners Certificate.

**2.6** Was the person who has died known by any other name in which they held assets?

☐ Yes, **go to question 2.7**

☐ No, **go to question 2.8**

**2.7** Please give the details of any other names by which the person who has died held assets.

| Full name |
| --- |
| |

**Note 2.7 –** These names must be ones that will appear on the grant because an asset is in that name. We do not need to know the asset.

**2.8** Did the person who died live permanently in England and Wales at the date of death, or intend to return to England and Wales to live permanently? (For legal purposes this generally means they were domiciled in England and Wales. You may wish to seek legal advice about this.)

- ☐ Yes
- ☐ No

**Note 2.8 –** Living permanently means they had either their permanent or principal home in England and Wales at the date of death or they intended to return to England and Wales to live permanently.

**2.9** What was the marital status of the person who has died when they died?

- ☐ Never married
- ☐ Widowed, their lawful spouse or civil partner having died before them
- ☐ Married/in a civil partnership - give date

  | | | |
  | --- | --- | --- |
  | | | |

- ☐ Divorced/civil partnership is dissolved - give date

  | | | |
  | --- | --- | --- |
  | | | |

- ☐ Judicially separated - give date

  | | | |
  | --- | --- | --- |
  | | | |

**Note 2.9 –**

**Civil partnership**

A civil partnership is a relationship that has been registered in accordance with the Civil Partnership Act 2004 or Civil Partnerships, Marriages and Deaths (Registration Etc.) Act 2019.

**Marriage**

A marriage is a legal ceremony conducted in UK under the Marriage Acts 1949, 1994 and The Marriage (Same Sex Marriage) Act 2013 or under legislation in any other country by the law applicable there.

**Date of divorce**

This date is on their Decree Absolute, Decree of Dissolution of Partnership or Decree of Judicial Separation.

You can get an official copy of these documents from the court that issued them, or from https://www.gov.uk/copy-decree-absolute-final-order

**2.10** What is the name of the court where the Decree Absolute, Decree of Dissolution of Partnership or Decree of Judicial Separation was issued?

**2.11** Did the person who has died own any foreign assets?

- ☐ Yes, the total value of their foreign assets (not including houses or land)

  £

- ☐ No

**2.12** Was there any land vested in the person who has died which was settled previously to their death and which remained settled land not withstanding their death?

☐ Yes

☐ No

**Only answer this question if no executor to the will is applying**

**2.13** Was the person who has died or any of their relatives legally adopted in or out of the family?

☐ Yes, **see note 2.13**

☐ No, **go to question 3**

**2.14** Please name the legally adopted relatives and give their relationship to the person who has died. Please state whether they were adopted into the family of the person who has died, or 'adopted out' (become part of someone else's family).

| Name | Relationship | Adopted **in** or **out** |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

**Questions 2.15 and 2.16 are for legal professionals only**

**2.15** Type of application

**2.16** Please give your grounds for application, plus any relevant information

**2.17** Do you require a bilingual grant in English and Welsh?

☐ Yes

☐ No

**Note 2.12 –** It is rare for estates to be subject to the provisions of the Settled Land Act 1925 but if you know this applies or have any queries please seek legal advice.

**Note 2.13** – If you answered Yes to this question we may require additional information to be submitted once we have received your application.

**Note 2.14** – We use this information to work out who is eligible to make the application. This information will become public record when probate is granted.

**Note 2.15 –** If your application is not for probate or there are limitations to be applied. e.g. Reseals, Double Probate, *De bonis non* please provide details of the the type of grant required and details of the grounds for the application and any relevant information (e.g. limitations required) in box 2.16. For guidance on the information that is required and wording that should be used, please refer to Tristram and Cootes.

Please send all of your evidence in support with this application..

## 3. **The will and any codicils** – This section is about the will. You must submit the most recent original will and codicils made since the last will, if there are any.

**3.1** What is the date of the will you are submitting to the court?

**3.2** Did the person who has died also leave any codicils, made since that will?

☐ Yes, **please provide the original document(s) with your application and list below the dates of the codicils you are submitting to the court.**

☐ No

**3.3** Did the person who has died have any wills that were made outside of England and Wales?

☐ Yes

☐ No

**3.4** Did the person who has died marry or enter into a Civil Partnership after the date of the will or any codicils?

☐ Yes, please give the date of marriage or civil partnership

☐ No

**Note 3 –** a will does not have to be a formal document. Please make sure you send the original will with your application. If you do not then this will delay your application.

If you have been unable to locate the original will or any codicil and only have a copy and have made all reasonable attempts to locate the original. Please visit www.gov.uk/government/publications/form-pa13-lost-will-questionnaire to print off the PA13 lost will questionnaire or call 0117 9302430 and quote 'Lost will' and we will supply additional information to help you proceed.

**Note 3.2 –** a codicil is a document that amends a will.

**Only answer this question if no executor to the will is applying**

**3.5** Is there anyone under 18 years old who receives a gift in the will or a codicil?

☐ Yes, **Please note two applicants will need to apply in Section A. Contact HMCTS Probate to see who is entitled to make the application.**

| Name of beneficiary | Beneficiary's date of birth | Name of person who has parental responsibilty? |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

☐ No

**Note 3.5 –** All mothers and most fathers have legal rights and responsibilities as a parent - known as 'parental responsibility'.

For more information see www.gov.uk/parental-rights-responsibilities

**3.6** Name any executors who are **not** making this application, and explain why.

**Reasons for executors not applying:**

**A** – They died before the person who has died.

**B** – They died after the person who has died (Please include the date they died by their name).

**C** – Power reserved: they have chosen not to apply, but reserve the right to do so later.

**D** – Renunciation: they have chosen not to apply, and give up all rights to apply. (Before you send off your application please **read NOTE REASON D**)

**E** – Power of attorney: they have appointed or wish to appoint another person to act as their attorney to take a Grant of Representation on their behalf (You will also need to complete Section 5 of this application). (Before you send off your application please **read NOTE REASON E**)

**F** – They lack capacity to act as executor.

| Full name(s) of executor(s) **not** applying | A, B, C, D, E or F |
|---|---|
| | |
| | |
| | |

**Note 3.6 –** Executors are the first person who can apply for a grant. We need to know why any executors aren't included in this application. This includes any executors who have pre-deceased. **If you do not provide all of the information this will delay your application.**

**Reason C**

If any executors are having power reserved, you **must** notify them of the application in writing. The Grant of Representation will only be issued to those people named as applicants in Section A.

**Reason D**

If you state that an executor has given up their right to apply. We will need to send another form to you to give to the executor, for them to sign. Please visit www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will to print off the PA15 renunciation form or call 0161 240 5716 and quote 'Renunciation' and we will send the renunciation form.

You will need to send the renunciation form to us with this application.

**Reason E**

If you state that an executor wishes to appoint an attorney or they already have an attorney. We will need to send another form to you to give to the executor for them to sign, or you will need to provide one of the forms mentioned in Section 5.

Please www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will to print off the PA11 attorney form or call 0161 240 5716 and quote 'Attorney' and we will send the attorney form.

You will need to send the attorney form to us with this application. The attorney of one executor and an executor acting in their own right may not jointly apply for a Grant of Representation.

**Reason F**

If you state that an executor lacks capacity and are incapable of managing their property and financial affairs, when we receive this application we may send a medical certificate for the executors' doctor to sign. If you do not already have medical evidence from a qualified practitioner or are using a registered LPA a short form of medical evidence will be required.

Please visit www.gov.uk/government/publications/form-pa14-medical-certificate-probate to print off the PA14 medical certificate or call 0161 240 5716 and quote 'Medical evidence' and we will send out the form.

You will need to send the medical certificate to us with this application.

The attorney of one executor and an executor acting in their own right may not jointly apply for a Grant of Representation.

**3.7** ☐ The undersigned declare that written notice has been given to all executors who have power reserved to them and are not making this application.

If you fail to give written notice, it is likely to delay your application.

**3.8** Are there any features of the will that you wish to highlight, such as the condition of the will, or if it has been separated, why, who by and when?

☐ Yes - please give details in the box below

☐ No

**Note 3.8 –** For example, if the will was separated for photocopying and stapled back together, please explain why this was done, when it was done and by whom.

**3.9** Can you confirm the will consisted of the pages now being submitted and no other pages or documents of a testamentary nature or other nature were attached.

☐ Yes

☐ No

## 4. Relatives of the person who has died

**4.1** Did the person who has died leave a surviving spouse or civil partner?

☐ Yes

☐ No

**Note 4.1 –** 'survive' means that they were alive when the deceased person died.

**4.2** How many of the following blood and adoptive relatives did the person who has died have?

| | | Under 18 years | Over 18 years |
|---|---|---|---|
| **a** | How many sons or daughters of the person who died survived them? | | |
| **b** | How many sons or daughters of the person who has died who did not survive them? | | |
| **c** | How many children of people at 'b' who survived them? | | |

**Note 4.2 –** Please state the **number** of relatives the person who has died had in the relevant sections. If none then put nil or strike through.

**4.3** Please state the relationship of each of the persons applying for the grant to the person who has died. (If you are applying as an attorney for someone then please state attorney)

Relationship description

First applicant

Second applicant

Third applicant

Fourth applicant

**Note 4.3 –** For example, if the applicant is a spouse or civil partner of the person who's died, put down spouse or civil partner.

If you are applying as an attorney for someone then please state attorney.

Trust corporation reference number

If you are applying on behalf of a trust corporation, please enter the code reference.

If lodged at court, please give lodgement date and name of registry

## 5. Applying as an attorney

**5.1** Are you applying as an attorney on behalf of one or more people who are entitled to apply for a Grant of Representation?

☐ Yes, **go to question 5.2**

☐ No, **go to section 6**

**5.2** Please give the full names of the person or people on whose behalf you are applying.

**5.3** Please give their address

Building and street

Second line of address

Town or city

County (optional)

Postcode

**5.4** Is a person on whose behalf you are applying unable to make a decision for themselves due to an impairment of or a disturbance in the functioning of their mind or brain?

☐ Yes, further confirmation of this will be requested by HMCTS Probate.

☐ No

**5.5** Has anyone been appointed by the Court of Protection to act on behalf of a person on whose behalf you are applying including the right for a grant of representation?

☐ Yes, **please provide an official copy of the court order with your application**

☐ No

**Note 5 –** if you are applying on behalf of more than one person, please provide the information requested in this section for the other people you represent on a separate sheet of paper. We may need to send another form to you to give to the executor for them to sign, or you will need to provide one of the forms mentioned in this section.

Please visit https://www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will to print off the PA11 attorney form or call 0161 240 5716 and quote 'Attorney' and we will send the attorney form.

You will need to send the signed attorney form to us with this application. The attorney of one executor and an executor acting in their own right may not jointly apply for a Grant of Representation.

Where there are persons aged under 18 benefiting from the estate then two applicants (or at least two) will be needed in Section A. You may wish to contact HMCTS Probate to seek information in regard to who is eligible to apply.

**Note 5.4 –** this applies if they lack capacity under the Mental Capacity Act 2005 and are incapable of managing their property and financial affairs. You may wish to seek legal advice about this.

If you do not already have medical evidence from a qualified practitioner or are using a registered LPA or EPA a short form of medical evidence will be required.

Please visit www.gov.uk/government/publications/form-pa14-medical-certificate-probate to print off the PA14 medical certificateor call 0161 240 5716 and quote 'medical evidence' and we will send the form.

**5.6** Has a person on whose behalf you are applying appointed an attorney under an Enduring Power of Attorney (EPA) or a Property and Financial Affairs Lasting Power of Attorney (LPA)?

- ☐ Yes, **please provide the original EPA/LPA (or a solicitor's certified copy of it certified on every page.) with your application**
- ☐ No, **go to Section 6**

**5.7** Has the Enduring Power of Attorney (EPA) been registered with the Office of the Public Guardian?

- ☐ Yes
- ☐ No

## 6. Foreign domicile

**Note – if you answered Yes, to question 2.8 you don't need to complete this section – please go to Section 7.**

**6.1** What was the country where the person who died either lived permanently at the date of death or intended to return to live permanently?

**6.2** What does the estate in England and Wales of the person has died consist of?

| Assets | Values |
|---|---|
| | |

**6.3** Has an entrusting document been issued by the court where the person who has died was domiciled?

☐ Yes, **please provide the official document with your application; if it is not in English, please also provide an official translation. Go to Section 7.**

☐ No

**6.4** Has a succession certificate, inheritance certificate or equivalent document been issued by a court or Notary in the country of domicile of the person who has died?

☐ Yes, **please provide the offical document with your application; if it is not in English, please also provide an official translation.**

☐ No

**Note 6.3 and 6.4 –**
An **entrusting document** is an official court issued document from the place of domicile which enables the person(s) named to collect the estate in and administer it-in the same way that our grants of representation do.

A **succession certificate** or **inheritance certificate** is legal document that is usually issued by a civil court outside of the UK or a Notary Public that confirms who is entitled to the estate of the person who's died without leaving a will.

If you do not have any of these documents, you may wish to seek legal advice.

## 7. Inheritance tax

**7.1** Did you complete an IHT400 and IHT421 form?

☐ Yes

☐ No. **Go to question 7.3**

**7.2** Provide the numbers from the **IHT421**

Box 3 (gross value) £

Box 5 (net value) £

**Go to Legal statement**

**7.3** Did you complete an **IHT207** form?

☐ Yes

☐ No. **Go to question 7.5**

**7.4** Provide the numbers from the **IHT207**

Box A (gross value) £

Box H (net value) £

**Go to Legal statement**

**7.5** Did the deceased die on or after 1 January 2022?

☐ Yes

☐ No. **Go to question 7.9**

**7.6** Provide the following values of the estate for inheritance tax

gross value of the estate for inheritance tax £

net value of the estate for inheritance tax £

net qualifying value of the estate £

**7.7** Are you claiming against this estate the unused proportion of the inheritance tax nil-rate band of a pre-deceased spouse or civil partner of the deceased?

☐ Yes

☐ No

**Note 7** – Before you can apply for a probate grant you need to value the estate of the person who has died. Then you need to pay any Inheritance Tax that is due or be able to show that there is no Inheritance Tax to pay.

Read how to value the estate and report its value to HMRC at https://www.gov.uk/valuing-estate-of-someone-who-died

**Note 7.2 –** Forms IHT421 and IHT400 must be sent to HMRC only.

After sending them to HMRC wait 20 working days before submitting this probate application.

For details go to www.gov.uk/hmrc/inheritance-tax-account

If the amount in Box 5 is more than £5,000 you will have to pay a probate application fee.

**Note 7.4 –** Send HMCTS the IHT207 with your probate application. If the amount in Box H is more than £5,000 you will have to pay a probate application fee.

**Note 7.5 –** If you answered 'Yes' to 2.8 and 'Yes' to 7.5, you are confirming that the estate is an 'excepted estate' and that the person who has died was domiciled in the UK.

**Note 7.6 –** The gross, net and net qualifying value for IHT will be provided if you used the IHT checker tool accessible at https://www.gov.uk/valuing-estate-of-someone-who-died/estimate-estate-value

**Note 7.7 –** Only answer this question if the net qualifying value of the estate is between £325,000 and £650,000

**7.8** Provide the gross and net value of the estate for probate

gross value of the estate for probate £

net value of the estate for probate £

**Go to Legal statement**

**Note 7.8 –** Guidance on how to calculate these values would have been provided by the outcome page on the IHT checker tool accessible at https://www.gov.uk/valuing-estate-of-someone-who-died/estimate-estate-value

**7.9** Did you complete the **IHT205** online with HMRC?

☐ Yes, tell us the:

IHT identifier

Gross value £

Net value £

**Go to Legal statement**

☐ No. **Go to question 7.10**

**Note 7.9 –** If you reported the estate's value to HMRC online, you do not need to send HMCTS a paper copy of your report

**7.10** Provide the numbers from the **IHT205** form.

Box D (gross value) £

Box F (net value) £

**Go to Legal statement**

**Note 7.10 –** Send HMCTS the IHT205 with your probate application. Include the IHT217 form if applicable. If the amount in Box F is more than £5,000 you will have to pay a probate application fee.

## LEGAL STATEMENT

**The undersigned confirms:**

- That the last will and any codicils referred to in this application is the last will and testament of the person who has died
- to collect the whole estate
- to keep full details (an inventory) of the estate
- to keep a full account of how the estate has been distributed
- that the estate is an 'excepted estate' and that the person who died was domiciled in the UK (if 'Yes' was given in answer to question 2.8 and question 7.5)

**If the Probate Registry (court) asks the undersigned they will:**

- Provide the full details of the estate and how it has been distributed
- Return the grant of representation to the court

**and understand that:**

- The application will be rejected if the information is not provided (if asked)
- Criminal proceedings for fraud may be brought against the undersigned if it is found that the evidence provided is deliberately untruthful or dishonest

**The undersigned confirm to administer the estate of the person who has died in accordance to law, and that the application is truthful.**

**All persons applying for the grant (those listed in Section A) must sign below.**

Name of **first applicant**

Signature

Name of legal representative's firm (if applicable)

Date signed

Name of **second applicant**

Signature

Date signed

Name of **third applicant**

Signature

Date signed

Name of **fourth applicant**

Signature

Date signed

Please send the original form signed by all applicants and required documents with payment to:

HMCTS Probate, PO Box 12625, Harlow, CM20 9QE

**Phone** 0300 303 0648

**Email** contactprobate@justice.gov.uk

## FOR OFFICE USE ONLY

## How are the applicants entitled to apply.

In what capacity are the persons applying entitled to apply?

- ☐ The executor/s named in the will/codicil of the person who has died
- ☐ The Attorney/s acting on behalf of the executor/s named in the will/ codicil of the person who has died
- ☐ Beneficiary/s named in the will/codicil of the person who has died
- ☐ The Attorney/s acting on behalf of the beneficiary/s named in the will/ codicil of the person who has died
- ☐ Other (Please state in the box below the reason they are applying)