

PA1 — Probate application

When someone dies, you may need to get a Grant of Representation (known as 'probate'), a document that gives you the legal right to deal with their property, bank accounts, money and other possessions (their 'estate').

Leaflet **PA2** *How to obtain probate – A guide for people acting without a solicitor* explains this process. Further guidance is available online at www.gov.uk/wills-probate-inheritance. If you would like assistance, please telephone the **Probate Helpline** on 0300 123 1072. Probate staff can advise you about processes, but cannot provide you with legal advice.

Please complete this form using BLOCK CAPITALS, placing a tick in boxes where applicable. If you need more space for answers, please attach extra sheets of paper to your application.

1. Swearing the oath

You are required to swear an oath to state that information you provide in this application is true to the best of your knowledge and belief. Where would you like to do this?

At a solicitor's office

At a Probate Office, at the following District Probate Registry:

2. 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

Postcode

2.4 Date they were born

2.5 Date they died

Note 1 – we will send you guidance about swearing the oath once you send us the completed application.

A list of District Probate Registries is available in leaflet **PA4**, which you can download from hmctsformfinder.justice.gov.uk

2.6 Did the person who has died hold any assets in another name?

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

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?

Yes

No

2.9 Was the person who has died legally adopted?

Yes

No

2.10 Was any relative of the person who has died legally adopted?

Yes

No, **go to question 2.12**

2.11 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' (became part of someone else's family).

Name	Relationship	Adopted in or out

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.

Note 2.8 – Living permanently means they had a lasting connection with England and Wales such as having been born in England and Wales and retaining a home there. They may have lived abroad but planned to return to England and Wales to live permanently. For legal purposes this means they were domiciled in England and Wales. You may wish to seek legal advice about this.

Note 2.9 – the names of legally adopted people are entered in the Adopted Children's Register. If your relationship with the person who has died was through adoption (e.g. they adopted you, or you adopted them) and they did not leave a will, please obtain a copy of their entry in the Register from The General Register Office, Adoptions Section, Trafalgar Road, Birkdale, Southport PR8 2HH and provide it with your form.

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

- Never married, **go to section 3**
- Widowed, their spouse or civil partner having died before them, **go to section 3**
- Married/in a civil partnership, **go to section 3**
- Divorced/civil partnership is dissolved – If the person who has died made a will go to section 3 or if they did not leave a will go to question 2.13.
- Judicially separated – If the person who has died made a will go to section 3 or if they did not leave a will go to question 2.13.

2.13 What is the name of their former spouse or civil partner?

2.14 What was the date of their divorce, dissolution or judicial separation?

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

Note 2.12 – a civil partnership is a same-sex relationship that has been registered in accordance with the Civil Partnership Act 2004.

Note 2.14 – 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 The Divorce Absolute Search Section, Central Family Court, 42–49 High Holborn, London WC1V 6NP.

3. The will and any codicils

3.1 Did the person who has died leave a will?

- Yes, **please provide the original document(s) with your application**
- No, **go to section 4**

3.2 Did the person who has died leave any codicils?

- Yes, **please provide the original codicil document(s) with your application**
- No

3.3 Is the will dated **before** 4 April 1988?

- 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 the marriage or civil partnership

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- No

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

- Yes
- No

3.6 Do any of the witnesses to the signing of the will, their spouses or their civil partners receive a gift under the will or a codicil?

- Yes
- No

3.7 Name any executors who are **not** making this application with you, 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.
- 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.
- E** – Power of attorney: they will appoint another person to act as their attorney to take a Grant of Representation on their behalf

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

3.8 I/we declare that I/we have given written notice to all executors who have power reserved to them and are not making this application.

Note 3.1 – 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.

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

Note 3.7 – we need to know why any executors aren't included in this application. This includes any executors who have pre-deceased.

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 6.

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

Reason D – if you state that an executor has given up their right to apply, when we receive this application we will send another form to you to give to the executor, for them to sign.

Note – if you fail to give written notice, it is likely to delay your application.

4. Foreign domicile

Note – if you answered Yes, to question 2.8 you don't need to complete this section – please go to **section 5**.

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

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

Assets	Values

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

Yes, **please provide an official copy with your application; if it is not in English, please also provide a translation**

No

4.4 Did the person who has died own any foreign assets?

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

£

No

4.5 Has an entrusting document, a succession certificate or an inheritance certificate been issued in the country of domicile of the person who has died?

Yes, **please provide the document with your application; if it is not in English, please also provide a translation**

No

Note 4.5 – these documents may help to support your application. If you do not have any of these documents, you may wish to seek legal advice.

5. Relatives of the person who has died

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

- Yes, **complete question 5.2**
- No, **complete questions 5.2 and 5.3**

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

	Under 18 years	Over 18 year
5.2a Sons or daughters who survived them		
5.2b Sons or daughters who did not survive them		
5.2c Children of people at 5.2b who survived them		
5.2d Parents who survived them		
5.2e Whole-blood brothers or sisters who survived them		
5.2f Whole-blood brothers or sisters who did not survive them		
5.2g Children of people at 5.2f who survived them		
5.2h Half-blood brothers or sisters who survived them		
5.2i Half-blood brothers or sisters who did not survive them		
5.2j Children of people at 5.2i who survived them		

Note 5.1 – ‘survive’ means that they were alive when the deceased person died.

Note 5.2 – Sections a, b, and c should be completed for all applications. Please state the **number** of relatives the person who has died had in the relevant sections. If none then put nil or strike through. If your answer to question 5.1 is no, once you have entered a number of surviving relatives in one of the block sections (e.g. 5.2a-5.2c) please move on to question 6.

Step-relatives should not be included.

A **‘whole-blood’** brother or sister is someone who has both parents in common with person who has died, or someone who was legally adopted by both of the parents of the person who has died.

A **‘half-blood’** brother or sister is someone who has only one parent in common with the person who has died, or someone who was legally adopted by only one of the parents of the person who has died.

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

	Under 18 years	Over 18 year
5.3a Grandparents who survived them		<input type="text"/>
5.3b Whole-blood uncles or aunts who survived them	<input type="text"/>	<input type="text"/>
5.3c Whole-blood uncles or aunts who did not survive them	<input type="text"/>	<input type="text"/>
5.3d Children of people at 5.3c who survived them	<input type="text"/>	<input type="text"/>
5.3e Half-blood uncles or aunts who survived them	<input type="text"/>	<input type="text"/>
5.3f Half-blood uncles or aunts who did not survive them	<input type="text"/>	<input type="text"/>
5.3g Children of people at 5.3f who survived them	<input type="text"/>	<input type="text"/>

Note 5.3 – This section should only be completed if no relatives have been entered in section 5.2. Please state the **number** of relatives the person who has died had in the relevant sections. If none then put nil or strike through. Once you have entered a number in one of the block sections (e.g. 5.3b–5.3d) please move on to question 6.

Step-relatives and people who were related to the person who has died only by marriage should not be included.

A '**whole-blood**' uncle or aunt is someone who has both parents in common with the mother or father of person who has died, or someone who was legally adopted by the maternal or paternal grandparents of the person who has died .

A '**half-blood**' uncle or aunt is someone who has only one parent in common with the mother or father of the person who has died or someone who was legally adopted by only one of the grandparents of the person who has died.

6. About the applicant(s)

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

6.2 Your address

Postcode

6.3 Your home telephone number

6.4 Your mobile/work telephone number

6.5 Your email address

6.6 Your relationship to the person who has died

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

6.8 Their address

Postcode

6.9 Their relationship to the person who has died

Note 6 – all correspondence, including the Grant of Representation, will be sent to the first applicant named in this section.

Only list applicants who wish to be named on the grant in this section as they will be required to swear the oath.

Note 6.5 – we will contact you with any queries via this email address. We will also send you your oath via this email account.

We aim to contact you within 10 working days of receipt of your application.

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

6.11 Their address

Postcode

6.12 Their relationship to the person who has died

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

6.14 Their address

Postcode

6.15 Their relationship to the person who has died

7. Inheritance tax

7.1 Did you complete an Inheritance Tax Estate report online?

- Yes, do not submit an Inheritance Tax form with this application

Please provide the following details, **then go to section 8**:

IHT Identifier

Gross Estate Figure £

Net Estate Figure £

- No, **go to question 7.2**

7.2 Which of the following inheritance tax forms have you completed?

- Form **IHT205**, **complete 7.3 then go to section 8**
- Form **IHT207**, **complete 7.4 then go to section 8**
- Forms **IHT400** and **IHT421**, **complete 7.5 then go to section 8**

7.3 Provide the following figures from form **IHT205**.

Figure from box D £

Figure from box F £

(This figure will determine the probate application fee (See PA3))

7.4 Provide the following figures from form **IHT207**.

Figure from box A £

Figure from box H £

(This figure will determine the probate application fee (See PA3))

7.5 Provide the following figures from form **IHT421**.

Figure from box 3 £

(Gross value of assets)

Figure from box 5 £

(Net value)

(This figure will determine the probate application fee (See PA3))

Note 7.2 – if you did not complete an Inheritance Tax Estate report online, you **must** complete IHT205, or IHT207, or both IHT400 and IHT421.

Note 7.3 – if the person who has died, died before 1st September 2006, it may affect which tax form you need to complete, so please ring the **Probate Helpline** on **0300 123 1072**.

Note 7.5 – do **not** send form IHT400 or form IHT421 to us. Please send them to HM Revenue and Customs, Inheritance Tax, BX9 1HT, at the same time you send PA1 and other papers to the District Probate Registry. HMRC will stamp your IHT421 and send it to the District Probate Registry you named on your IHT421.

8. Applying as an attorney

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

- Yes
 No, **go to section 9**

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

8.3 Please give their address

Postcode

8.4 In what capacity are they entitled to apply?

8.5 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 the Probate Registry.
 No

8.6 Has anyone been appointed by the Court of Protection to act on behalf of a person on whose behalf you are applying?

- Yes, **please provide an official copy of the court order with your application**
 No

8.7 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) with your application**
 No, **go to section 9**

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

- Yes
 No

Note 8 – 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.

Note 8.4 – for example, as an executor named in the will, or on the basis of their relationship to the person who has died if there is no will.

Note 8.5 – 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.

Note 8.7 – an LPA must be registered with the Office of the Public Guardian before it can be used.

9. Checklist

Please send this application to one of the main Probate Registries (see leaflet PA4). Before you submit your application form, please complete this checklist to confirm that you have enclosed the relevant documents and fees, and if applicable tick the declaration.

- PA1 (Probate Application Form)
- Inheritance Tax Summary Form: Please submit the appropriate form (IHT205 or IHT207, and IHT217 if applicable), signed by all applicants.
- The original will and any codicils, plus three plain (not certified) unstapled A4-sized copies of the will and any codicils.
- An official 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.
- Any other documents requested on this form. Please list them:

- 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/postal order. As well as the application fee, there is a fee for each official copy of the Grant of Representation that we provide (see the fee list leaflet **PA3**).

How many official copies of the Grant of Representation do you require for use **in** England and Wales?

How many official copies of the Grant of Representation do you require for use **outside** of England and Wales?

Application fee

£

Fees for copies

£

Total fees

£

Please note: Only the main probate registries (as shown on form PA4) can receive applications and fees, no other probate registries can accept applications or take any form of payment.

Note 9 – if you completed an Inheritance Tax Summary online, **and** fully complete question 7.1 of this form, you do not need to send an Inheritance Tax Estate report form with your application.

Do not attach anything to or remove anything from the original will/codicils. If you separated the original will for photocopying, please explain this in a covering letter. Also, make sure that you keep a copy for yourself.

If you do not enclose all of the required documents, it will take us longer to process your application. Please ensure that the information that you provide is accurate, and keep copies of all documents.

If you have declared assets in a foreign country on the tax return it may be necessary to order copies of the grant for use outside England and Wales, please check with the asset holder.

Also, if the person who has died was domiciled in England and Wales the grant of representation we issue will cover the whole of the UK i.e. England, Wales, Scotland and Northern Ireland.
