

STATUTORY INSTRUMENTS

2009 No. 21.

**The Administration of Estates (Small Estates) (Special Provisions)
(Probate and Administration) (Amendment) Rules, 2009.**

(Under section 8 of the Administration of Estates (Small Estates) (Special Provisions) Act, Cap.156)

IN EXERCISE of the powers conferred upon the Minister responsible for justice by section 8 of the Administration of Estates (Small Estates) (Special Provisions) Act, Cap.156 and in consultation with the Chief Justice, these Rules are made this 26th day of February, 2009.

1. Title

These Rules may be cited as the Administration of Estates (Small Estates) (Special Provisions) (Probate and Administration) (Amendment) Rules, 2009.

2. Amendment of S.I.156-1

The Administration of Estates (Small Estates) (Special Provisions) (Probate and Administration) Rules are amended, in rule 3, by inserting immediately after subrule (5) the following—

“(6) The magistrate shall, before making a grant of probate or letters of administration, satisfy himself or herself that the deceased person to whose estate the application relates had at the time of his or her death, a fixed place of abode within the jurisdiction of the court.

(7) In all cases a magistrate may, if he or she thinks proper—

- (a) examine the petitioner in person, upon oath or solemn affirmation;
- (b) require further evidence of the due execution of the will, or the right of the petitioner to the letters of administration, as the case may be; and
- (c) issue citations calling upon all persons claiming to have any interest in the estate of the deceased to appear before the court before the grant of probate or letters of administration.

(8) A citation issued under subsection (7) shall be fixed up in a conspicuous part of the courthouse, and also in the offices of the district council, and otherwise published or made known in such manner as the court issuing it may direct.”.

HON. (DR) E. KHIDDU MAKUBUYA, M.P
Attorney General and Minister of Justice and Constitutional Affairs.

STATUTORY INSTRUMENTS

2009 No. 20.

**The Administration of Estates (Small Estates) (Special Provisions)
(Amendment of Jurisdiction of Magistrates Courts) Order, 2009.**

(Under section 2(6) of the Administration of Estates (Small Estates) (Special Provisions) Act, Cap. 156)

IN EXERCISE of the powers conferred upon the Minister by section 2(6) of the Administration of Estates (Small Estates) (Special Provisions) Act, this Order is made this 26th day of February, 2009.

1. Title

This Order may be cited as the Administration of Estates (Small Estates) (Special Provisions) (Amendment of Jurisdiction of Magistrates Courts) Order, 2009.

2. Amendment of jurisdiction of magistrates courts under section 2(1) of Cap. 156

The jurisdiction of magistrates courts under section 2(1) of the Administration of Estates (Small Estates) (Special Provisions) Act in the case of grant of probate or letters of administration in respect of small estates of deceased persons is amended as follows—

- (a) in the case of a Magistrate Grade I, it shall be where the total value of the estate does not exceed the maximum financial limit of the civil jurisdiction of a Magistrate Grade I under section 207 of the Magistrates Courts Act;

(b) in the case of a Chief Magistrate, it shall be where the total value does not exceed the maximum financial limit of the civil jurisdiction of the Chief Magistrate under section 207 of the Magistrates Courts Act.

HON. (DR) E. KHIDDU MAKUBUYA, M.P
Attorney General and Minister of Justice and Constitutional Affairs.