

Update – receiving Grant of Probate



In February this year, the Government reintroduced its plans to reform probate fees, first announced two years ago but shelved before the snap general election in 2017. The new fee structure would replace the current flat fee with a sliding scale based on the value of an estate. The new fees were supposed to take effect in April but as of June nothing seems to have moved forward.

At the same time the Court Service is in the process of closing all local District Probate Registries with the intention of centralising and outsourcing parts of the work; the Registries are struggling with a new computer system; and we are experiencing a far longer turn round time with HMRC following the initial filing of IHT returns. The coming together of these issues has seen a significant rise in the length of time taken to obtain a grant of probate and a substantial backlog of work in the Probate Registries. The latest update is that applications from the end of March are still being processed!

The advice from the Registry? To allow 12 weeks from submitting the application before expecting the grant to be issued. These delays beg the question whether HMRC can justify continuing to charge interest on unpaid Inheritance Tax 6 months from the date of death, when executors and administrators are denied the ability to deal with an estate in a timely manner

Contact us

If you would like further advice on this, please contact Ray Bennett on +44(0)1892 506120 or ray.bennett@cripps.co.uk.

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