

Coronavirus (COVID-19) (/coronavirus) Guidance and support

1. Home (<https://www.gov.uk/>)
2. Births, deaths, marriages and care (<https://www.gov.uk/browse/births-deaths-marriages>)
3. Death and bereavement (<https://www.gov.uk/browse/births-deaths-marriages/death>)

Applying for probate

1. Overview

Applying for the legal right to deal with someone's property, money and possessions (their 'estate') when they die is called 'applying for probate'.

You'll get a document that allows you to start dealing with the estate. If the person left a will you'll get either:

- a 'grant of probate'
- 'letters of administration with will annexed' (if the will does not name an executor or the named executor is unable to apply)

If the person did not leave a will, you'll get 'letters of administration'.

This guide and the service are also available [in Welsh \(Cymraeg\) \(https://www.gov.uk/gwneud-cais-am-brofiant\)](https://www.gov.uk/gwneud-cais-am-brofiant).

The process is [different in Scotland](#) and [different in Northern Ireland](#).

Because of coronavirus (COVID-19), probate applications are taking up to 8 weeks to process.

When probate is not needed

You may not need probate if the person who died:

- had jointly owned land, property, shares or money - these will automatically pass to the surviving owners
- only had savings or premium bonds

Contact each asset holder (for example a bank or mortgage company) to find out if you'll need probate to get access to their assets. Every organisation has its own rules.

2. Who can apply

Only certain people can apply for probate to deal with the estate of someone who died. It depends on whether the person who died left a will.

A will states what should happen to a person's property and belongings ('estate') after they die. It's usually valid if it's been signed by the person who made it and 2 witnesses.

If there's a will

You can apply for probate if you're named in the will, or in an update to the will (a 'codicil'), as an 'executor'.

You'll need the original will and any updates to apply for probate. These must be original documents, not photocopies.

If you do not want to apply for probate, [fill in a form to give up executor rights](https://www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will) (<https://www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will>).

Find out [what to do if you're an executor](https://www.gov.uk/applying-for-probate/if-youre-an-executor) (<https://www.gov.uk/applying-for-probate/if-youre-an-executor>).

If the person did not leave a will

The 'administrator' deals with the estate.

You can apply to become the estate's administrator if you are 18 or over and you are the most 'entitled' inheritor of the deceased's estate. This is usually the deceased's closest living relative.

Relatives are the most entitled inheritors in the following order:

- husband, wife or civil partner (including if they were separated)
- children (including legally adopted children but not step-children)
- grandchildren
- great-grandchildren
- parents
- brothers and sisters
- nieces and nephews
- half-brothers and half-sisters
- half-nieces and half-nephews (the children of the half-brothers and half-sisters of the deceased)
- grandparents
- aunts and uncles
- cousins
- half-aunts and half-uncles (the half-brothers and half-sisters of the deceased's parent)
- half-cousins (the children of the half-brothers and half-sisters of the deceased's parent)

To apply, follow the same steps as [applying for probate](https://www.gov.uk/applying-for-probate/apply-for-probate) (<https://www.gov.uk/applying-for-probate/apply-for-probate>).

You'll receive 'letters of administration' to prove you have the legal right to deal with the estate.

You cannot apply if you're the partner of the person but were not their spouse or civil partner when they died. You're not automatically entitled to any of their estate, unless you're able to [make changes to the inheritance \(https://www.gov.uk/alter-a-will-after-a-death\)](https://www.gov.uk/alter-a-will-after-a-death).

If you do not want to apply

If you're the most entitled inheritor and you do not want to apply to be the administrator, you can either:

- appoint an attorney to act on your behalf - [fill in an attorney form \(https://www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will\)](https://www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will) or set up a signed [enduring power of attorney \(EPA\) \(https://www.gov.uk/enduring-power-attorney-duties\)](https://www.gov.uk/enduring-power-attorney-duties) or registered [lasting power of attorney \(LPA\) \(https://www.gov.uk/power-of-attorney\)](https://www.gov.uk/power-of-attorney) and get the attorney to send this in with the probate application
- nominate up to 2 people to be the next most entitled inheritor - [fill in an 'intestate' form \(https://www.gov.uk/government/publications/form-pa12-apply-for-power-of-attorney-intestate\)](https://www.gov.uk/government/publications/form-pa12-apply-for-power-of-attorney-intestate) and send it to HMCTS Probate

HMCTS Probate
PO BOX 12625
Harlow
CM20 9QE

Work out who inherits

The law decides who inherits the estate if there's no will. [Work out who will inherit \(https://www.gov.uk/inherits-someone-dies-without-will\)](https://www.gov.uk/inherits-someone-dies-without-will).

You'll need this information to report the estate's value and [find out if there's Inheritance Tax to pay \(https://www.gov.uk/valuing-estate-of-someone-who-died/estimate-estate-value\)](https://www.gov.uk/valuing-estate-of-someone-who-died/estimate-estate-value).

Inheritance laws may be different [if you live in an EU country](#).

Stopping a probate application

If there's a dispute, you can challenge an application for probate ('enter a caveat'), before it's granted.

Find out [how to stop a probate application \(https://www.gov.uk/stop-probate-application\)](https://www.gov.uk/stop-probate-application).

3. If you're an executor

An executor is someone named in a will as responsible for sorting out the estate of the person who's died.

The person who died will normally have told you if you're an executor. You'll need the original will to apply for probate.

Find the original will

The person who died should have told all the executors where to find the original will and any updates, for example:

- at their house
- with a probate practitioner, such as a solicitor
- at the [Newcastle District Probate Registry](#) - you'll need the death certificate and evidence you're the executor

Get help from a [probate practitioner](#) or [Citizens Advice](#) if you cannot understand a will or codicil.

If you cannot find the original will, you'll need to [fill in a lost will form](#) (<https://www.gov.uk/government/publications/form-pa13-lost-will-questionnaire>).

If there's more than one will, only the most recent will is valid. Do not destroy any copies of earlier wills until you've received probate.

An executor only receives assets if they're also named as a beneficiary.

If there's more than one executor

If more than one person is named as an executor, you must all agree who makes the application for probate.

Up to 4 executors can be named on the application.

If only one executor is named on the application they'll need to prove that they tried to contact all executors named in the will before they applied.

If you're having problems finding the other executors, you can contact the Probate Call Centre.

Probate Call Centre

Telephone: 0300 303 0648

Monday to Friday, 8am to 6pm

Saturday, 8am to 2pm

[Find out about call charges \(https://www.gov.uk/call-charges\)](https://www.gov.uk/call-charges)

Email: contactprobate@justice.gov.uk

The Probate Call Centre cannot help with disagreements between executors. You'll need to find another way to reach an agreement - this could mean getting legal advice.

If you do not want to or cannot be an executor

The will may name a replacement executor for someone who becomes 'unwilling or unable' to deal with the estate.

If no executors are willing or able to apply for probate, [fill in a form to give up executor rights](#) (<https://www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will>) and send it to HMCTS Probate.

HMCTS Probate

PO Box 12625

Harlow

CM20 9QE

You do not want to be an executor

You can do one of the following:

- completely give up your right to apply for probate ('renunciation') - [fill in a form to give up executor rights](https://www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will) (<https://www.gov.uk/government/publications/form-pa15-apply-for-renunciation-will>) and send it with the probate application form
- reserve your right to apply for probate later if another executor cannot deal with the estate (holding 'power reserved')
- appoint an attorney to act on your behalf - [fill in an attorney form](https://www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will) (<https://www.gov.uk/government/publications/form-pa11-apply-for-power-of-attorney-will>) or set up a signed [enduring power of attorney \(EPA\)](https://www.gov.uk/enduring-power-attorney-duties) (<https://www.gov.uk/enduring-power-attorney-duties>) or registered [lasting power of attorney \(LPA\)](https://www.gov.uk/power-of-attorney) (<https://www.gov.uk/power-of-attorney>) and send it with the probate application

When an executor is unable to apply for probate

A replacement executor should apply for probate if the executor is unable to, for example because:

- they've died
- they do not have 'mental capacity' - get a doctor to [fill in a mental capacity form](https://www.gov.uk/government/publications/form-pa14-medical-certificate-probate) (<https://www.gov.uk/government/publications/form-pa14-medical-certificate-probate>) and send it with the probate application

4. Apply for probate

You can apply for probate yourself online or by post, or [pay a probate practitioner \(such as a solicitor\) to do it for you](#).

Because of coronavirus (COVID-19), probate applications are taking up to 8 weeks to process. It's taking longer to process paper applications than online applications.

This guide and the service are also available [in Welsh \(Cymraeg\)](https://www.gov.uk/gwneud-cais-am-brofiant/gwneud-cais-am-brofiant) (<https://www.gov.uk/gwneud-cais-am-brofiant/gwneud-cais-am-brofiant>).

Before you apply

1. [Check if you need probate](https://www.gov.uk/applying-for-probate) (<https://www.gov.uk/applying-for-probate>).
2. [Check if you can apply for probate](https://www.gov.uk/applying-for-probate/who-can-apply) (<https://www.gov.uk/applying-for-probate/who-can-apply>).
3. You must [estimate and report the estate's value](https://www.gov.uk/valuing-estate-of-someone-who-died) (<https://www.gov.uk/valuing-estate-of-someone-who-died>) before you apply for probate.
4. You must [find out whether you need to pay Inheritance Tax](https://www.gov.uk/inheritance-tax) (<https://www.gov.uk/inheritance-tax>). If you do have to pay it, send the appropriate forms to HMRC and wait 20 working days before applying for probate.
5. You must have the original will if you're the executor (you do not need it if you're an administrator). You must also have the original death certificate or an interim death certificate from the coroner.

If you need to pay Inheritance Tax

You normally have to pay at least some of the tax before you'll get probate. You can claim the tax back from the estate, if you pay it out of your own bank account.

Probate application fees

You may have to pay a fee to apply for probate. Whether you need to pay depends on the value of the estate.

If the value of the estate is over £5,000, the application fee is £215. You may be able to [get help to pay the probate fee and other court fees](https://www.gov.uk/get-help-with-court-fees) (<https://www.gov.uk/get-help-with-court-fees>) if you have a low income or are on certain benefits.

There's no fee if the estate is £5,000 or less.

Extra copies of the probate cost £1.50 each. This means you can send them to different organisations at the same time.

If the will has been changed or damaged

You must include a cover letter if the will or any additions have changed in any way since you've had them. This includes them being damaged or separated for photocopying.

The letter should explain what's been changed and why.

Get help and advice

If you've not yet applied and have a question about applying for probate, contact the Courts and Tribunals Service Centre:

Courts and Tribunals Service Centre

[Webchat](#)

Monday to Friday, 8am to 8pm

Saturday, 8am to 2pm

If you're a probate practitioner

You should [apply for probate for your client using the MyHMCTS service](https://www.gov.uk/government/publications/myhmcts-how-to-apply-for-probate-online) (<https://www.gov.uk/government/publications/myhmcts-how-to-apply-for-probate-online>). You'll need to [create an account first if you do not have one](https://www.gov.uk/guidance/myhmcts-online-case-management-for-legal-professionals) (<https://www.gov.uk/guidance/myhmcts-online-case-management-for-legal-professionals>).

Apply for probate online

You can use this service if you're the [executor or administrator](https://www.gov.uk/applying-for-probate/who-can-apply) (<https://www.gov.uk/applying-for-probate/who-can-apply>) and you:

- have the original will and any additions to it ('codicils') if you're the executor (you do not need these if you're an administrator)
- have the original death certificate or an [interim death certificate from the coroner](https://www.gov.uk/after-a-death/when-a-death-is-reported-to-a-coroner) (<https://www.gov.uk/after-a-death/when-a-death-is-reported-to-a-coroner>)
- have already [reported the estate's value](https://www.gov.uk/valuing-estate-of-someone-who-died) (<https://www.gov.uk/valuing-estate-of-someone-who-died>)
- have submitted tax forms to HMRC and waited 20 working days, if you need to pay [Inheritance Tax](https://www.gov.uk/inheritance-tax) (<https://www.gov.uk/inheritance-tax>)

The person who died must have lived in England or Wales most of the time.

The probate registry will keep the original will and any additions to it. If you make a copy of these for your records, do not remove any staples or bindings from them.

[Apply for probate](#)

[Return to an existing probate application.](#)

Apply for probate by post

The form you need to fill in depends on whether the person left a will or not.

Fill in application form PA1P if there is a will (<https://www.gov.uk/government/publications/form-pa1p-apply-for-probate-the-deceased-had-a-will>).

Fill in application form PA1A if there is not a will (<https://www.gov.uk/government/publications/form-pa1a-apply-for-probate-deceased-did-not-leave-a-will>).

Because of COVID-19, it's taking longer to process paper applications than online applications. Use the online service to apply for probate if you can.

You need to pay before you send the form.

You can pay by either:

- calling the Courts and Tribunals Service Centre to pay by credit or debit card - you'll be given a reference number to send with your documents
- sending a cheque payable to 'HM Courts and Tribunals Service' with your documents

Courts and Tribunals Service Centre

Telephone: 0300 303 5856

Monday to Friday, 9:30am to 3:30pm

[Find out about call charges \(https://www.gov.uk/call-charges\)](https://www.gov.uk/call-charges)

Send your completed form to HMCTS Probate with the following documents:

- the original will and any additions to it ('codicils')
- the death certificate or an [interim death certificate from the coroner](https://www.gov.uk/after-a-death/when-a-death-is-reported-to-a-coroner) (<https://www.gov.uk/after-a-death/when-a-death-is-reported-to-a-coroner>)

HMCTS Probate

PO Box 12625

Harlow

CM20 9QE

Use a signed-for or tracked postal service that will deliver to PO boxes to send your documents.

The death certificate will be returned to you but the will and any additions to it will not be. If you make a copy of the will and any of its additions for your own records, do not remove any staples or bindings from them.

5. After you've applied

You'll usually get the grant of probate or letters of administration within 8 weeks of sending in your original documents. If you ordered copies of these documents for use outside the UK, these will take longer to arrive.

Because of coronavirus (COVID-19), it's taking longer to process paper applications than online applications.

You should not make any financial plans or put property on the market until you have received the grant of probate or letters of administration.

If there's anything wrong with the grant of probate (or letters of administration), return it to the district probate registry listed on the grant or letters.

Send a copy to organisations that hold the assets of the person who died, for example their bank.

Once you have probate you can [start dealing with the estate \(https://www.gov.uk/probate-estate\)](https://www.gov.uk/probate-estate).

OGL

All content is available under the Open Government Licence v3.0, except where otherwise stated

© Crown copyright