APPENDIX IV Rule 82 (2).

The Matrimonial Causes Rules 1947 (S.R. & O. 1947 (No. 523) I p. 2036).
The Matrimonial Causes (Amendment) Rules 1947 (S.R. & O. 1947 (No. 1757) I p. 2079).
The Matrimonial Causes (Amendment) (No. 2) Rules 1947 (S.R. & O. 1947 (No. 2495) I p. 2083).
The Matrimonial Causes (Amendment) Rules 1948 (S.I. 1948 (No. 1444) I p. 4052).
The Matrimonial Causes (Amendment) (No. 2) Rules 1948 (S.I. 1948 (No. 2725) I p. 4056).
The Matrimonial Causes (District Registries) Order 1949 (S.I. 1949 (No. 435) I p. 4011).
The Matrimonial Causes (District Registries) Order (No. 2) 1949 (S.I. 1949 (No. 2068) I p. 4012).
The Matrimonial Causes (Amendment) Rules 1950 (S.I. 1950 No. 571).

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to explain their general purport.)

These Rules consolidate, with amendments, the Matrimonial Causes Rules, 1947, and the subsequent amending Rules and Orders mentioned in Appendix IV.

The most important changes are in the Forms, which have been revised with a view to making it clearer to parties to proceedings what steps they may take. Full information is now contained in the Notice of Petition (Form 3) and Notice of Proceedings (Form 6), which have been substituted for the Notice to Appear.

Rule 73 deals with the registration, under the Maintenance Orders Act, 1950, of maintenance orders made by superior courts throughout the United Kingdom.

The Non-Contentious Probate Rules, 1950

1950 No. 287 (L. 5)

Made - - - -	13*th February*, 1950
Laid before Parliament	6*th March*, 1950
Coming into Operation	13*th March*, 1950

I, the Right Honourable Frank Boyd, Baron Merriman, President of the Probate, Divorce and Admiralty Division of the High Court of Justice, with the concurrence of the Right Honourable William Allen, Viscount Jowitt, Lord High Chancellor of Great Britain, and the Right Honourable Rayner, Baron Goddard, Lord Chief Justice of England, in exercise of the powers conferred upon me by section 100 of the Supreme Court of Judicature (Consolidation) Act, 1925(a) and of all other powers enabling me in this behalf, do hereby make the following Rules:—

1. In these Rules—

"The Principal Registry Rules" means the Rules and Orders and Instructions for the Registrars of the Principal Registry of the Court

(a) 15 & 16 Geo. 5. c. 49.

of Probate in respect of non-contentious business, dated the thirtieth day of July, 1862, as amended by subsequent Rules(a);

"The District Registry Rules" means the Rules and Orders and Instructions for the Registrars of the District Registries of the Court of Probate, dated the twenty-seventh day of January, 1863, as amended by subsequent Rules(b).

2. The following Rules shall be inserted after Rule 120 of the Principal Registry Rules and Rule 113 of the District Registry Rules (which relate to the priority of right to a grant of administration) and shall stand as Rules 120A and 120B in the Principal Registry Rules and as Rules 113A and 113B in the District Registry Rules:—

"120A (113A). Where on or after the first day of January, 1927—

(i) the mother of an illegitimate child, such child not being a legitimated person, dies wholly intestate and does not leave any legitimate issue her surviving, the illegitimate child, or, if he is dead, his issue, shall take his place in the order of priority of right to a grant of administration as if he had been born legitimate;

(ii) an illegitimate child, not being a legitimated person, dies wholly intestate, his mother, if surviving, shall take her place in the order of priority of right to a grant of administration as if the child had been born legitimate.

120B (113B).—(1) Where an adoption order has been made under the Adoption of Children Acts, 1926 to 1949, and the adopter or the adopted person or any other person dies wholly intestate on or after the first day of January, 1950, the adopted person shall, in determining the priority of right to a grant of administration, be treated as if he were the child of the adopter born in lawful wedlock and were not the child of any other person.

For the purposes of this Rule, an adopted person shall be deemed to be related to any other person being the child or adopted child of the adopter or (in the case of a joint adoption) of either of the adopters—

(*a*) where he or she was adopted by two spouses jointly, and that other person is the child or adopted child of both of them, as brother or sister of the whole blood;

(*b*) in any other case, as brother or sister of the half-blood.

(2) Where an adoption order is made in respect of a person who has been previously adopted, the previous adoption shall be disregarded for the purposes of this Rule in relation to the right to a grant of administration to the estate of a person dying intestate after the date of the subsequent adoption order."

3. These Rules may be cited as the Non-Contentious Probate Rules 1950 and shall come into operation on the thirteenth day of March 1950.

Dated the 13th day of February 1950.

Merriman, P.

We concur,

Jowitt, C.
Goddard, C.J.

(a) S.R. & O. Rev. 1904, XII, Supreme Court, E., p. 756; for amdts. see S.R. & O. 1921 (No. 649) p. 1287; 1925 (No. 1231) p. 1539; 1925 (No. 1044) p. 1246; 1932 (No. 1015) p. 1685; 1933 (No. 985) p. 1823; 1934 (No. 366) II, p. 604; 1937 (No. 113) p. 2244; 1939 (No. 1514) II, p. 3123; 1943 (No. 897) I, p. 936; 1944 (Nos. 491 and 1029) I, p. 978; 1947 (No. 1393) I, p. 2084; S.I. 1948 (No. 1204) I, p. 4056; 1949 (No. 876) I, p. 4013.

(b) S.R. & O. Rev. 1904, XII, Supreme Court, E., p. 829; for amdts see S.R. & O. 1921 (No. 649) p. 1287; 1925 (No. 1231) p. 1539; 1926 (No. 1044) p. 1246; 1934 (No. 366) II, p. 604; 1939 (No. 1514) II, p. 3123; 1943 (No. 897) I, p. 936; 1944 (No. 1029) I, p. 978; 1947 (No. 1393) I, p. 2084; S.I. 1949 (No. 876) I, p. 4013.