



PRACTICE NOTE 1 of 2017

(published pursuant to Rule 5(12) of the *Probate Rules 2015*)

Rule 12(4) - Alias grants

Given that the Registrar-General does not require an alias grant where land registered under the *Real Property Act* is in a different name to that in which probate or administration is granted (see *Jessup's Lands Titles Office Forms and Practice* par [10002.11]), the fact that land is registered in another name is **not** sufficient to justify an alias grant. **No inquiry should be made of the Lands Titles Registration Office.** The Registrar of Probates will dispense with compliance with both the Note to Form 3 and Note 2 to Form 4.

In the case of assets other than land registered under the *Real Property Act* the deponent to an affidavit as to alias must make a deposition that he or she has inquired and been advised that an alias grant is necessary.

Registrar of Probates

20 February 2017