



PROBATE ANNUAL RETURN

PROBATE ANNUAL RETURN AS AT DD MM YYYY

Probate - variable data

1 Ownership and control of firm

Questions 1.1 and 1.2 relate only to accredited probate firms **authorised** for probate work in accordance with Probate Regulation 2.2.

If your firm is **licensed** to conduct probate work in accordance with Probate Regulation 2.3, please go to question 1.3.

1.1 If your firm is an authorised firm, are all principals and shareholders in the firm (whether individuals or bodies corporate) individually authorised to conduct probate work? Yes/No

1.2 If your firm is an authorised firm and another body is a principal in your firm, are non-authorised persons entitled to exercise, or control the exercise of, less than 10% of voting rights in that other body? Yes/No

If 'No', please provide details on a separate sheet.

Questions 1.3 and 1.4 relate only to accredited probate firms that are **licensed** for probate work in accordance with Probate Regulation 2.3.

If your firm is **authorised** in accordance with Probate Regulation 2.2, please go to question 2.4.

1.3 If your firm is a licensed firm, is at least one principal in the firm (other than a licensed firm) authorised to conduct probate work? Yes/No

1.4 Are all non-authorised persons (whether individuals or bodies corporate) who hold, together with their associates, a material interest in the firm or the firm's parent entity, individually approved in that capacity by ICAEW? Yes/No

For a definition of what constitutes a 'material interest' and an 'associate' for the purposes of the Probate Regulations, please see Probate Regulations 6.2 and 6.3.

If 'No' please provide details on a separate sheet.

2 Profile of probate and related work

Please answer the following questions with reference to the period covered by this return

2.1 Please indicate the business activities performed by the firm during the period covered by return:

• will-writing

• advice to those drafting wills

	<ul style="list-style-type: none"> • advice on IHT and related matters before applying for a grant of probate or letters of administration 	<input type="checkbox"/>
	<ul style="list-style-type: none"> • probate work (ie, applying for a grant of probate or letters of administration) 	<input type="checkbox"/>
	<ul style="list-style-type: none"> • executorship activities 	<input type="checkbox"/>
	<ul style="list-style-type: none"> • assistance to executors in administering estates 	<input type="checkbox"/>
2.2	Please state your firm's total income from all activities. (Please state if estimated).	£ _____
2.3	Please state your firm's total income from regulated authorised work (ie, probate and estate administration). (Please state if estimated).	£ _____
2.4	How many probate clients has your firm had? Answer 0 if none.	_____
2.5	Has your firm or an authorised individual within your firm acted as an executor in administering an estate? If 'Yes' please complete questions 2.6 – 2.15. If 'No' please go to the next section.	Yes/No
2.6	How many estates did you administer as an executor?	_____
2.7	Were estate monies or assets held?	Yes/No
2.8	If estate monies were held, what was the total, estimated value of these monies?	£ _____
2.9	If estate assets were held (other than estate monies) what was the total, estimated value of these assets?	£ _____
2.10	Please provide details of the assets held: ----- ----- -----	
2.11	Has your firm provided assistance to executors in administering estates? If 'Yes' please complete questions 2.12 to 2.15 below. If 'No' please go to the next section.	Yes/No
2.12	How many estates were involved?	_____
2.13	Were estate monies or assets held?	Yes/No
2.14	If estate monies were held, what was the total, estimated value of these monies?	£ _____
2.15	If estate assets were held (other than estate monies) what was the total,	£ _____

estimated value of these assets?

2.16 Please provide details of the assets held:

3 Firm profile

- 3.1 Does the firm have at least one office in England and Wales from which it conducts probate work (unless it is a company or limited liability partnership whose registered office is in England and Wales)? Yes/No
- 3.2 From how many offices does the firm conduct probate work? _____
- 3.3 Does each office from which probate work is conducted contain at least one authorised individual? Yes/No
If 'No' please explain on a separate sheet how your firm ensures that probate work is conducted in accordance with the Probate Regulations.

4 Compliance with the Probate Regulations

- 4.1 For the period covered by this return, has your firm conducted a compliance review to consider how effectively it is complying with the Probate Regulations? Yes/No
The Probate Regulations require accredited probate firms to perform an annual compliance review.
- 4.2 Has your firm retained a record of the review showing the work done and the results? Yes/No
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- 4.3 Have all matters identified in previous compliance reviews now been addressed? Yes/No
If 'No', please provide details.
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- 4.4 During the period covered by this return, has the firm informed ICAEW within 10 business days of any change of circumstances affecting the firm or its eligibility to be accredited, as required by Probate Regulations 2.7 – 2.9? Yes/No
If 'No' please provide details:
- 4.5 Does your firm have arrangements in place to ensure that all principals and employees engaged in authorised work (ie, probate and estate administration) are, and continue to be, competent to conduct this work? Yes/No
If 'No' please provide further information.
- 4.6 Does the firm hold PII of at least £500,000 per claim in respect of authorised work (ie, probate and estate administration) as required by the PII Regulations and Probate Regulation 2.10? Yes/No
- 4.7 Has your firm received any complaints about its activities in relation to authorised work (ie, probate and estate administration) during the period covered by the return? Yes/No
If 'Yes', please provide details of any investigations undertaken, the outcome and whether the client made a complaint to the Legal Ombudsman.

Probate - Standing data

We have completed most of this section using data held by ICAEW. Please check, update, amend or complete as necessary using black ink.

The Probate Regulations state that you must tell ICAEW as soon as changes occur. You should not wait until you receive your next annual return.

5 Firm information

5.1 Name of probate contact partner (this will be the Head of Legal Practice in a licensed firm) _____

5.2 Email address of probate contact partner _____

5.3 Name of the Head of Finance and Administration (this applies only to licensed firms) _____

6 Authorised individuals - principals

Please add below details of any principals not already listed or amend details as required.

Member number	Full name	Office number	% voting rights	Affiliate number if applicable

7 Non-authorised principals and shareholders holding a material interest – licensed firms only

Please add below details of any principals or shareholders not already listed or amend details as required.

If your firm is **authorised** to conduct probate work, please go to the next question.

Member number	Full name	Office number	% voting rights	Affiliate number if applicable

8 Authorised individuals - employees

Please add below details of any employees not already listed or amend details as required..

Member number	Full name	Office number

9 Probate connected entities regulated by ICAEW

Please add below details of any entities not already listed or amend details as required.

Name of connected entity	Firm number	Main address

10 Confirmations and undertakings

If you are unable to give one or more of the following confirmations and undertakings, please strike it through and enclose a full statement explaining the position.

- I/We undertake that the firm will comply with the Probate Regulations at all times.
- I/We confirm that the firm has made arrangements to ensure that only authorised individuals undertake, or control the undertaking of, probate work on behalf of the firm.
- I/We confirm the firm has made arrangements to prevent anyone who is not an authorised individual in the firm, or a person working under their supervision, from having any influence that would be likely to affect the independence or integrity of probate work.
- I/We confirm that the firm has made arrangements to ensure that all principals and employees undertaking authorised work (ie, probate and estate administration) are, and continue to be, competent to carry out the authorised work for which they are responsible.
- I/We confirm that the firm has notified ICAEW within 10 business days of all changes in circumstances, and will continue to do so, in accordance with Probate Regulations 2.7(j) – 2.7(l).
- I/We confirm that the firm is a fit and proper firm to carry out probate work.
- I confirm that as the firm's Head of Legal Practice I am, and will continue to be, independent and that I am able to report matters freely where required.

11 Signature

Signature of the probate contact partner (this will be the Head of Legal Practice in a licensed firm)

Name in capitals

Date
