

# SUPREME COURT OF TASMANIA

## CIRCULAR TO PRACTITIONERS

No. 4 of 2016

12 May 2016

### PROBATE PRACTICE & PROCEDURE

Practitioners are advised of the following changes to probate practice and procedure:

#### **Invoicing:**

From 1 June 2016 all tax invoices for probate application fees will be emailed to applicants (rather than posted, sent via DX, or put in the Supreme Court correspondence boxes).

All tax invoices will be emailed to the law firm's office email address, as recorded with the Law Society.

#### **Copies of testamentary papers:**

Applications for Probate or Letters of Administration (with the Will annexed) which do not include a copy of the testamentary papers, in accordance with Circular 14 of 2015, will be returned to the Applicant with an expectation that the application will be re-lodged with a copy of the testamentary papers.

Practitioners are reminded that the copy testamentary papers should be A4 size, double-sided, and unstapled.

#### **Short Form Affidavit – Superannuation:**

If Superannuation or life insurance is to be paid to a beneficiary under a binding nomination, or at the trustee's discretion, such funds should not be listed in the Inventory of the Short Form Affidavit. If superannuation or life insurance is listed in the Inventory of the Short Form Affidavit, it should be immediately followed by confirmation that it is payable to the estate, see Circular 3 of 2015, i.e. "*XYZ Superannuation Fund A/C # 1234 (payable to the estate) \_\_\_\_\_ \$000,000*".

JA Connolly  
REGISTRAR