



PRINCIPAL REGISTRY (CENTRAL PROBATE REGISTRY)

FREQUENTLY ASKED QUESTIONS (FAQs)



1. What is the Principal Registry?

The Principal Registry is the Central Probate Registry established under Rule 3(1) of The Probate and Administration Rules, Law of Succession. The Registry is under the Registrar High Court as Principal Registrar and situated at the Milimani Law Courts.

The Principal Registry keeps a record of every Grant issued by each Court Registry.

2. How does my Succession Cause case end up at the Principal Registry?

Once a Succession Cause is filed in Court, the Court notifies the Principal Registry for verification.

3. What is verification?

Verification is a process where the name of the Deceased person in a Succession cause is keyed into the Principal Registry data system to confirm whether the name already exists in the data system.

4. What documents will I need before my case can go through the verification process?

The respective Court's Probate and Administration Registry will prepare and issue:

- An electronic registration form that contains details of the deceased.
- Form 59 (index card)
- Form 73 (a notice addressed to the Principal Registrar)

5. What happens if the deceased's name exists in the system?

If the deceased's name exists, the cause will not be approved. A report will be generated notifying the Court of the details of the already existing Succession Cause

6. What happens if the deceased's name does not exist in the system?

If the deceased's name does not exist, this means that there is no other Succession Cause that has been filed in any other Court in Kenya. Form 30 will be prepared and issued by the Principal Registry.

7. What is a Form 30?

Form 30 is a document that indicates that no other succession cause has been filed. A duly filled and signed Form 30 will enable the Court to proceed and further process the Succession Cause.

8. How does one commence the filing process?

To commence the filing process, one must undertake the following:

- Confirm the nearest Court of Jurisdiction.
- Adhere to the checklist requirements that is available at the Court Registry..
- Present petitions for assessment at the Court Registry.
- Pay Court fees for the assessed amount to the Judiciary Bank Account.
- Deposit gazette fees of KES 3,480/= to the Government Printer Account at the National Bank or purchase Bankers Cheque in Government Printer's name.
- Present petition and supporting documents for registration and surrender the slips.

9. What happens once my case is filed?

The Probate and Administration Registry in each court will prepare and issue Form 60 (for gazette notice) and forward the same to the Principal Registry together with the original National bank deposit slip or Bankers cheque.

10. What happens once I present the Form 60 and the original bank deposit slip or cheque?

The Principal Registry will consolidate the gazette notices and forward them to the Government Printer for publication together with the bank deposit slips or Bankers cheque for verification of payment.

11. When will my matter be published in the Kenya Gazette?

Probate and Administration matters are published under a Special Kenya Gazette Notice. Special Gazette Notices appear twice a month - mid-month and at the end of the month or as need may arise and approved by the Government Printer.

12. What happens after my matter is published in the Special Kenya Gazette?

If no objection is lodged at the respective Court Registry, you will be issued with a Grant after the lapse of thirty (30) days from the date on which your matter was published in the Special Kenya Gazette.

13. What is expected of me once I receive the grant?

If you are the Administrator appointed in the Grant, you will be required to apply to Court through Summons for Confirmation of the Grant after the expiration of a period of six (6) months from the date the Grant was issued. The Administrator can also move the Court for Confirmation of Grant before the lapse of Six months if sufficient cause is shown.

14. What happens if I fail to apply to court for a Confirmation of the Grant?

If no application for Confirmation of Grant is made to Court within one year, the Court that issued the Grant may proceed to issue Revocation or Annulment Orders under Section 76 (d) (i) of The Law of Succession Act and mark the file as closed.

PRINCIPAL REGISTRY RESPONSIBILITY MATRIX FOR SUCCESSION CASES

