



## ***Urgent application for limited grants***

Under the provisions of the Administration and Probate Act 1958 (as amended) where in legal proceedings dealing with the validity of a will, a court may order that an administrator be appointed with limited power to carry out certain functions, for example to complete a contract, transfer investments, etc. Provided always such limited power shall be controlled by the court and definitely no power to distribute assets being given. As well, such limited grant will usually state that it be limited until a grant of probate or letters of administration is given, or such further order as the Court decides.

There is also the opportunity to apply to the court for a limited grant for example:

- to protect assets;
- to sell a business which was owned by a deceased;
- to seek relief of forfeiture of premises occupied by a deceased as tenant, where the landlord has repossessed those premises.

In practice, the competing party/ies should endeavour to agree on an interim administrator being appointed, otherwise, it will be open to the court to make an appointment of an independent administrator which may include a skilled lawyer, trustee company or State Trustees Limited.

***"Pearce Webster Dugdales are experienced in this area and are qualified to provide advice to you."***

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