

GOVERNMENT NOTICE NO. 429 published on 11/7/2025

THE PROBATE AND ADMINISTRATION OF ESTATES ACT,  
(CAP. 352)

—  
**RULES**  
—

*(Made under section 9)*

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THE PROBATE (AMENDMENT) RULES, 2025

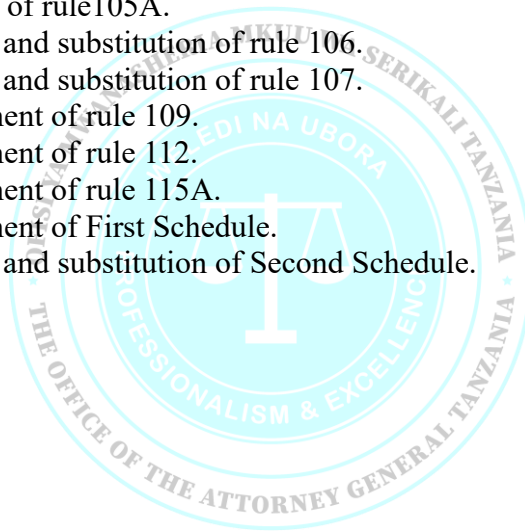
ARRANGEMENT OF RULES

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*The Probate (Amendment) Rules*

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THE PROBATE AND ADMINISTRATION OF ESTATES ACT,  
(CAP. 352)

RULES

(Made under section 9)

THE PROBATE (AMENDMENT) RULES, 2025

Citation  
GN. No.  
369 of 1963

1. These Rules may be cited as the Probate (Amendment) Rules, 2025 and shall be read as one with the Probate Rules, hereinafter referred to as the “principal Rules”

Amendment of  
rule 2

2. The principal Rules are amended in rule 2 by-  
(a) deleting the definition of the word “Registrar” and substituting for it the following:

“Registrar” means the Registrar of the High Court and includes a Deputy Registrar or Acting Deputy Registrar”;

(b) inserting in the appropriate alphabetical order the following definition:

“special *mirathi* account” means a bank account opened by an executor or administrator for the purpose of collecting monies forming part of the estate of the deceased;”.

Amendment of  
rule 5

3. The principal Rules are amended in rule 5 by-  
(a) deleting subrule (2);  
(b) designating rule 5(1) as rule 5.

Deletion and  
substitution of  
rule 6

4. The principal Rules are amended by deleting rule 6 and substituting for it the following:

“Written proceedings 6. All proceedings shall be taken down in writing or in any other

- manner of recording that can reduce the proceedings in a readable form.”
- Amendment of rule 7                    5. The principal Rules are amended in rule 7 by deleting the word “Registrar” appearing in subrule (1) and substituting for it the word “court”
- Amendment of rule 8                    6. The principal Rules are amended in rule 8 by adding the words “or Kiswahili” immediately after the word “English” whenever it appears.
- Amendment of rule 12                    7. The principal Rules are amended by deleting rule 12.
- Deletion and substitution of rule 17                    8. The principal Rules are amended by deleting rule 17 and substituting for it the following-  
“Hearing                    17. Every application under these Rules shall, unless the court otherwise directs, be heard in chambers.”.
- Amendment of rule 18                    9. The principal Rules are amended in rule 18 by deleting the word “Judge” and substituting for it the word “court”.
- Amendment of rule 21                    10. The principal Rules are amended in rule 21 by deleting the phrase “the number of the suit and” appearing in paragraph (1).
- Amendment of rule 23                    11. The principal Rules are amended in rule 23(2) by deleting the phrase “between the hours 08:30 a.m to 11:30 a.m on week days” and substituting for it with the phrase “during working hours”.
- Amendment of rule 24                    12. The principal Rules are amended in rule 24-  
(a) in subrule (1), by-  
(i) inserting the phrase “in the form prescribed in Form 6 set out in the First Schedule” between the words “affidavits” and “showing”;

- (ii) adding the word “and” at the end of paragraph (g);
- (iii) deleting the expression “; and” appearing at the end of paragraph (h) and substituting for it a full stop;
- (iv) deleting paragraph (i);
- (b) by adding immediately after subrule (1) the following:

“(2) Except where the proposed receiver is the Public Trustee or the Administrator-General, the application shall be supported by an affidavit showing that the person proposed to be appointed as receiver is a fit and proper person to be so appointed.”;

- (c) by deleting the existing subrule (2).

Amendment of rule 27

13. The principal Rules are amended in rule 27 by-

- (a) deleting the word “Registrar” appearing in subrule (5) and substituting for it the word “court”; and
- (b) deleting the phrase “thirty days from the date of his appearance” appearing in subrule (6) and substituting for it the phrase “fourteen days from the date of his appearance or such other time as the court may direct”.

Amendment of rule 28

14. The principal Rules are amended in rule 28 by deleting subrule (1) and substituting for it the following:

“(1) An application for rectification of a grant under section 48 of the Act, may be made orally, informally in writing or by chamber summons supported by an affidavit.”

Amendment of rule 29

15. The principal Rules are amended in rule 29 by deleting-

- (a) the marginal note and substituting for it the following:  
“Annulment of the grant”
- (b) the words “revoking or” whenever they appear.

Addition of  
rule 29A

16. The principal Rules are amended in rule 29 by adding immediately after rule 29 the following:

“Revocation  
of executor or  
administrator

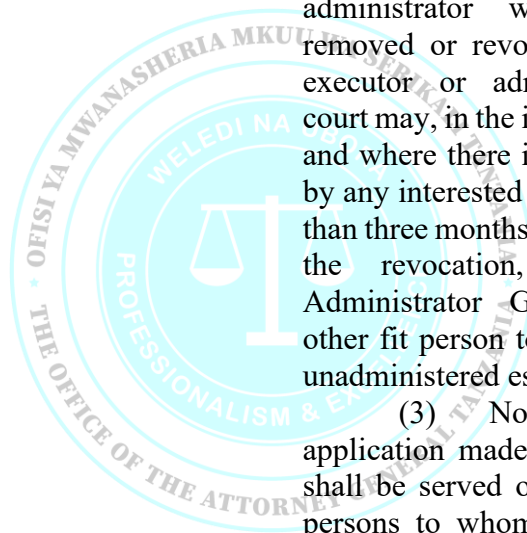
29A.-(1) An application for removal of the executor or revocation of letters of administration under section 49 of the Act shall be as prescribed in Form 26 of the First Schedule and shall be accompanied by an administrator’s oath and administrator’s bond.

(2) Where the executor or administrator who has been removed or revoked was a sole executor or administrator, the court may, in the interest of justice and where there is no application by any interested person for more than three months from the date of the revocation, appoint the Administrator General or any other fit person to administer the unadministered estate.

(3) Notice of an application made under this rule shall be served on the person or persons to whom the grant was made.

(4) The provisions of rule 29(3) and (4) and the Forms prescribed therein, shall apply *mutatis mutandis* to an application made under this rule.

(5) Appointment of another executor under this rule, shall be subject to the terms of the Will.”



Amendment of rule 31

17. The principal Rules are amended in rule 31(1) by deleting the words “three years” and substituting for them the words “twelve months”.

Amendment of rule 33

18. The principal Rules are amended in rule 33 by-  
(a) designating subrule (1) as rule 33;  
(b) deleting paragraph (c); and  
(c) renaming paragraph (d) as paragraph (c).

Amendment of rule 34

19. The principal Rules are amended in rule 34(5) by deleting the proviso and substituting for it the following:  
“Provided that, where the court refuses to make an order dispensing with verification of the petition by an attesting witness, the court shall make an order that the verification by such a witness be lodged and the Will be marked.”

Amendment of rule 39

20. The principal Rules are amended in rule 39 by-  
(a) deleting the phrase “Forms 26 or 27 set out in the First Schedule, whichever is appropriate” appearing between the words “in and a comma (,)” and substituting for it the phrase “Form 18 set out in the First Schedule”;  
(b) deleting paragraph (e); and  
(c) renaming paragraphs (f) and (g) as paragraphs (e) and (f).

Deletion and substitution of rule 48

21. The principal Rules are amended by deleting rule 48 and substituting for it the following:

“Grant to creditor

48.-(1) Where a creditor of the deceased applies for the grant of letters of administration under section 33(3) of the Act, the petition shall be in Form 18 of the First Schedule and accompanied by the documents referred to under rule 39.

(2) The petition under this rule shall contain a statement as to

the amount of the debt owed and how the same arose:

Provided that, a petition shall not be made by the creditor under this rule except where no grant has been made in respect of such estate or no petition has been filed by the beneficiary within a period of twelve months from the date of the death of deceased.”

Amendment of rule 53

22. The principal Rules are amended in rule 53(1)(b) by deleting the word “relatives” and substituting for it the word “beneficiaries”.

Amendment of rule 61

23. The principal Rules are amended in rule 61 by inserting the phrase “or produce any further evidence” between the words “affidavit” and “from”

Deletion and substitution of rule 63

24. The principal Rules are amended by deleting rule 63 and substituting for it the following:

“Death certificate

63.-(1) For the purpose of these Rules, a death certificate shall be a document issued by a competent authority.

(2) Where, for any reason beyond the control of the petitioner, a death certificate is not available, the petitioner shall file in lieu thereof-

- (a) an affidavit from a person who saw the remains of the deceased being interred or cremated;
- (b) an affidavit from a medical practitioner, duly registered as such in the country where the deceased died, who

pronounced the death of the deceased; or  
(c) any other affidavit which, in the opinion of the court, is sufficient to prove the death of the deceased.”.

Deletion of rule 64

25. The principal Rules are amended by deleting rule 64.

Deletion of rule 69

26. The principal Rules are amended by deleting rule 69.

Deletion and substitution of rule 75

27. The principal Rules are amended by deleting rule 75 and substituting for it the following:

“General citation

75. A general citation shall be in the form prescribed in Form 58 set out in the First Schedule and shall be conspicuously published in a newspaper with a wide coverage or exhibited in such other means as the court may direct.”.

Deletion and substitution of rule 82

28. The principal Rules are amended by deleting rule 82 and substituting for it the following:

“Caveat and procedure subsequent thereto

82.-(1) A caveat shall be in Form 62 of the First Schedule and shall be served to the petitioner within seven days of filing.

(2) Service of a caveat under this rule shall be in accordance with the provisions of the Civil Procedure Code.

(3) Upon filing of the caveat, the court shall issue an order to the petitioner requiring him to lodge an application for

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citation to the caveator within a period of fourteen days from the date of service of such notice or such other period as the court may direct.

(4) Application under this rule shall be in Form 63 set out in the First Schedule.

(5) Where the petitioner fails to make an application under subrule (3), the petition shall be deemed to have been withdrawn, and he shall be precluded from filing a fresh petition.

(6) Where the petition is deemed to have been withdrawn under this rule, it shall be open to the petitioner to apply to the court for its restoration, and where it appears to the court that it is just and equitable to restore the petition, it shall make an order restoring the petition upon such terms as to costs or otherwise as it considers fit:

Provided that, a petition shall not be restored where any grant of probate or letters of administration in respect of the estate made by any court in favour of any person, is subsisting.

(7) An application for the restoration of a petition shall be by chamber summons supported by an affidavit stating grounds for the application, and shall be accompanied by an application under subrule (3).

(8) Upon grant of the application under subrule (7), the court shall issue a citation to a

caveator as prescribed in Form 64 of the First Schedule, calling upon the caveator to state, within a period of fourteen days from the date of the service of the citation upon him, whether he supports the grant of probate or letters of administration to the petitioner, and, if he does not, requiring him to enter an appearance.”.

Addition of rule 82A

29. The principal Rules are amended by adding immediately after rule 82 the following:

“Appearance by caveator

82A.-(1) Appearance by a caveator shall be as prescribed in Form 65 of the First Schedule and shall be accompanied by an affidavit stating the interest of the caveator and the grounds for the objection to the petition.

(2) A copy of the appearance and the affidavit filed under this rule shall be served upon the petitioner who may file a counter affidavit.

(3) Where the caveator enters an appearance, the proceedings shall take the form of a suit, in which the petitioner shall be treated as the plaintiff and the caveator as the defendant”.

Amendment of rule 83

30. The principal Rules are amended in rule 83 by deleting the phrase “forward the record of the proceedings to the registrar who shall proceed as required by paragraph (6) of rule 82” and substituting for it the phrase “proceed as per section 54(1) of the Act”.

Deletion and substitution of rule 84

31. The principal Rules are amended by deleting rule 84 and substituting for it the following:

“Form and signature of grants

84. Every grant for probate or letters of administration shall be signed and sealed by the court and shall, in case of grants under rules-

(a) 33, 35, 36, 37, 38, 39, 40, 41, 42, 47, 48 and 93, be in Form 66 of the First Schedule; and

(b) 43, 44, 45, 46, 50, 51 and 53, be in Forms 69,70,71,72,73,74, and 75 respectively.”.

Deletion and substitution of rule 85

32. The principal Rules are amended by deleting rule 85 and substituting for it the following:

“Application

85. A petition for appointment of an administrator under Part VIII of the Act shall be by petition in Form 18 of the First Schedule, and shall be accompanied by a death certificate or affidavit as prescribed under rule 63 of these Rules, undertaking in the form prescribed in Form 77 set out in the First Schedule and security where the court considers necessary.”.

Deletion of rule 91

33. The principal Rules are amended by deleting rule 91.

Amendment of rule 93

34. The principal Rules are amended in 93 by deleting the words “Form 78” appearing between the words “in” and “set” and substituting for them the words “Form 66”.

Amendment of rule 96

35. The principal Rules are amended in rule 96 by deleting the words “section 88” and substituting for them the words “section 92(1)(b) and (c)”.

Amendment of rule 97

36. The principal Rules are amended in rule 97 by deleting the phrase “at Dar es Salaam”.

Addition of rule 105A

37. The principal Rules are amended by adding immediately after rule 105 the following:

“Collection of deceased monies and payment procedures

105A.-(1)

Upon

appointment, the executor or administrator shall open a special *mirathi* account and submit its details to the court.

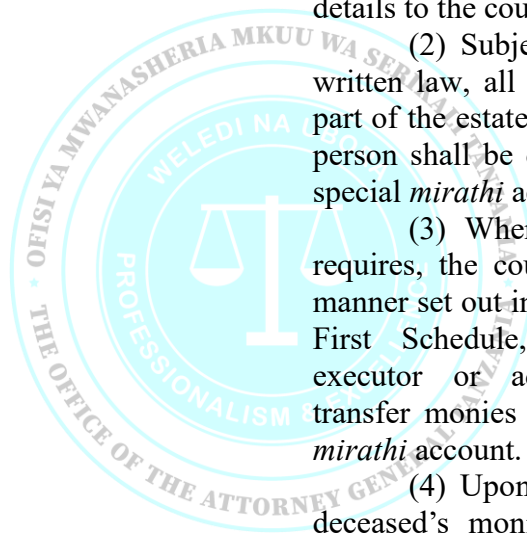
(2) Subject to any other written law, all monies forming part of the estate of the deceased person shall be deposited into a special *mirathi* account.

(3) Where circumstance requires, the court shall, in the manner set out in Form 67 of the First Schedule, facilitate the executor or administrator to transfer monies into the special *mirathi* account.

(4) Upon transfer of the deceased’s monies into special *mirathi* account, the transferor shall submit to court confirmation of such transfer which shall be accompanied by a statement of such account from the date of the death of the deceased.

(5) Monies shall not be paid from the special *mirathi* account except by an order of the court.

(6) The administrator or executor shall provide the details



of bank accounts of the beneficiaries in the manner set out in Form 81 of the First Schedule.

(7) The provisions of this rule shall not apply in respect of estates administered by the Administrator-General or the Public Trustee.”.

Deletion and substitution of rule 106

38. The principal Rules are amended by deleting rule 106 and substituting for it the following:

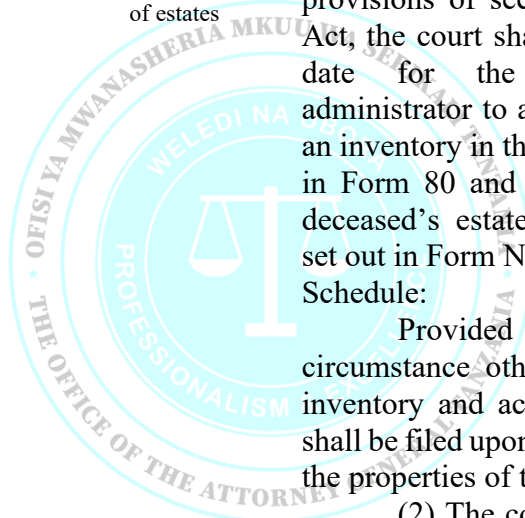
“Inventory and accounts of estates

106.-(1) Subject to the provisions of section 107 of the Act, the court shall fix a specific date for the executor or administrator to appear to exhibit an inventory in the manner set out in Form 80 and accounts of the deceased’s estate in the manner set out in Form No. 81 of the First Schedule:

Provided that, where circumstance otherwise requires, inventory and accounts of estate shall be filed upon collection of all the properties of the deceased.

(2) The court may, before expiration of the prescribed period, require the executor or administrator to report on the progress of the administration of deceased’s estate.

(3) Upon filing of inventory and accounts of the deceased’s estate, every beneficiary under a Will, a person entitled to a share under intestacy or unsatisfied creditor, if any, shall have a right to peruse the court file.



(4) Unless the court orders otherwise, the administrator shall cause heirs and beneficiaries of the estate to appear in court for confirmation of inventory and accounts on the date fixed for such purpose.”.

Deletion and substitution of rule 107

39. The principal Rules are amended by deleting 107 and substituting for it the following:

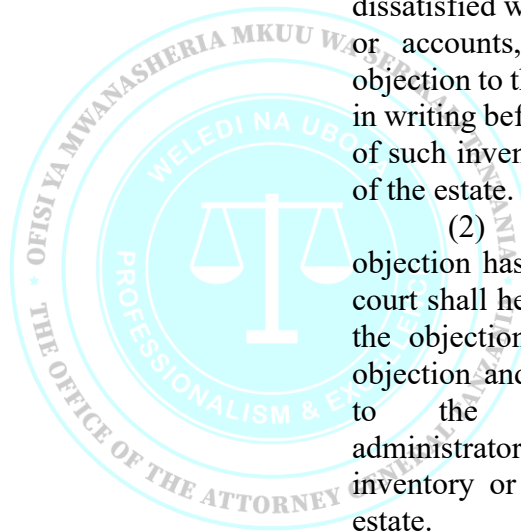
“Objection, confirmation and closure

107.-(1) Where any person with interest in the estate of the deceased is dissatisfied with the inventory or accounts, he may raise objection to the court orally or in writing before confirmation of such inventory or accounts of the estate.

(2) Where an objection has been made, the court shall hear the parties on the objection, determine the objection and give directions to the executor or administrator or confirm the inventory or accounts of the estate.

(3) Upon confirmation of the accounts, the court shall direct the executor or administrator to distribute the estate according to the accounts and perform all acts necessary and to report on completion within the specified time.

(4) Where the report is made under subrule (3), the probate or administration of



the estate shall be marked closed:

Provided that, a probate or letters of administration cause shall not be marked closed unless the court is satisfied that all properties have been transferred to the rightful heirs or beneficiaries.”

Amendment of rule 109

40. The principal Rules are amended in rule 109(1) by inserting the words “orally or” between the words “made and by”.

Amendment of rule 112

41. The principal Rules are amended in rule 112 by deleting the word “registrar” appearing in subrule (2) and substituting for it the phrase “the court administrator or any other authorised officer shall, on”

Amendment of rule 115A

42. The principal Rules are amended in rule 115A by-

- (a) deleting the “colon” appearing at the end of subrule (2) and substituting for it a “full stop”;
- (b) deleting the proviso to subrule (2);
- (c) deleting subrule (3);
- (d) designating subrule (4) as subrule (3);
- (e) adding immediately after subrule (4) as designated, the following:

“(4) Minor defect in any application shall not affect the power of the court to entertain such application.”

Amendment of First Schedule

43. The principal Rules are amended in the First Schedule by-

- (a) deleting Form 2 and substituting for it the following:

“FORM 2

AFFIDAVIT VERIFYING TRANSLATION OF A DOCUMENT  
(Rule 8)

The Probate (Amendment) Rules

GN. No. 429 (Contd)

I, ..... of ..... (address and phone No.) make oath and say as follows-

1. That I am well acquainted with.....(language) and Kiswahili/English languages and have experience in translation of documents from ..... (language) into Kiswahili /English (state qualifications, if any) .....
2. That the document marked "A" is a true and faithful translation ..... (descriptions of the document translated) marked B which is in ..... language.

Dated at ..... this..... day of.....20...

DEPONENT VERIFICATION

I, ....., do hereby verify that what is stated above in paragraphs ..... is true according to my own knowledge and belief. Verified at ..... this ..... day of .....20.....

DEPONENT

SWORN/AFFIRMED at ..... by the said ..... who is personally known to me/identified to ..... me by ..... } DEPONENT

this ..... day of .....20..... BEFORE ME: Name:..... Occupation:..... Address:..... Signature:..... Date:..... COMMISSIONER FOR OATHS

- (b) deleting Form 3;
- (c) deleting Form 6 and substituting for it the following:

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR APPOINTMENT OF A RECEIVER PENDING GRANT (Rule 24)

I, ..... (deponent) of ..... (address and phone No.) make oath and states as follows-

- 1. That..... (full designation) of the late ..... deceased, died on the ..... day of ..... 20 ..... at .....
2. That the said deceased was at the time of his death domiciled in ..... (A clause should be added showing the grounds upon which the assertion is made).
3. That the said deceased died testate having made and duly executed a Will dated ..... day of ..... 20..... (and codicils dated respectively (or that the said deceased died intestate).
4. (Here state if any application for grant of probate or letters of administration has been made and, if made, state to which Court, date of the application, the name of the applicants and the cause number) .....
5. The following persons are entitled to inherit the deceased's estate: .....(full names and addresses)
6. That the total value of the estate is likely to be in the range of TZS. ....
7. That an order for appointment of a receiver is sought in respect of the following property: .....(description of the property)
8. That there is danger that the said property may be wasted because (give reasons) .....
9. That I am a fit and proper person to be appointed a receiver. (where a proposed receiver is a person other than the Public Trustee or the Administrator- General)

Dated at ..... this..... day of.....20...

DEPONENT VERIFICATION

The Probate (Amendment) Rules

GN. No. 429 (Contd)

I, ....., do hereby verify that what is stated above in paragraphs ..... is true according to my own knowledge and belief. Verified at ..... this .....day of .....20.....

DEPONENT

SWORN/AFFIRMED at ..... by the said ..... who is personally known to me/identified to me by ..... this .....day of .....20..... DEPONENT

BEFORE ME:

Name:..... Occupation..... Address..... Signature:..... Date:.....

COMMISSIONER FOR OATHS

(d) deleting Form 18 and substituting for it the following:

FORM 18

PETITION FOR GRANT OF PROBATE/LETTERS OF ADMINISTRATION WITH OR WITHOUT WILL ANNEXED (Rule 33,39,48(1) and 86)

- 1. I, ..... (petitioner,) of .....(state address and phone No.) hereby apply to this Honourable court for grant of probate of the Will/letters of administration of ....., deceased, who died at .....(place of death) on the ..... day of ..... 20.....

Where there is a Will:

- 1. The document hereunto annexed and marked "A" is the last Will and testament of the said ..... (deceased) and was duly executed by him and the contents of such Will can be proved by .....(name and address of the persons alleged to be able to prove the contents of the Will)
2. This petition is made by me as the person named in the said Will as the executor thereof/This petition is made by me as a person interested in the estate as the Will does not mention the executor;

Where there is no Will:

*The Probate (Amendment) Rules*

*GN. No. 429 (Contd)*

2. The said deceased died intestate and due and diligent search has been made for a Will but none has been found.
3. That the petition is made by me as..... *(specify the relationship with the deceased or the reason for the petition)* of the deceased.

*With or without Will:*

2. I believe that the estimated gross value of the assets which are likely to come to my hands will be TZS..... inclusive of the following;
  - (i).....
  - (ii).....
  - (iii).....*(state the nature, estimated value and location of the assets)*

2. The said deceased at the time of his death had a fixed place of abode at .....*(street)*.....*(ward)*.....*(district)*.....and...  
.....*(region)* in ....*(country)*.
3. This court has jurisdiction because ..... *(state reasons)*
4. The said deceased was a ..... *(state nationality)* and professed..... religion.
5. The said deceased left surviving him the following heirs or beneficiaries; *(give their full names, designation and their residences)*.

S N	NAME	RELATIONSHIP WITH THE DECEASED	ADDRESS /PHONE NO.
1.			
2.			
3.			
4.			
5.			

6. No proceedings for the grant of probate or letters of administration, or otherwise for the administration of the estate of the said deceased have been commenced before any court or authority, whether inside Tanzania or outside. *(Where such proceedings have been commenced specify the nature of the proceedings, the country and the court where commenced. attach documents if any)*

*Where the probate or letters of administration is for the first time applied after expiration of twelve months from the death of the deceased:*

7. This petition has been brought for the first time twelve months after the death of the deceased because.....  
(state the reasons of the delay)

8. AND I, ....., the petitioner above-named, declare that what is stated above is true to the best of my knowledge, information and belief.

Dated at ..... this ..... day of ..... 20.....

.....  
Signature of Petitioner

.....  
Signature of Advocate (if any)

(e) deleting Form 26 and substituting for it the following:

FORM 26

PETITION UPON REVOCATION OF PROBATE OR LETTERS OF ADMINISTRATION  
(Rule 29(6))

1. I, ..... (petitioner,) of .....(state address and phone No.) hereby petition to this Honourable court for grant of probate/letters of administration of .....(deceased), who died at .....(place of death) on the ..... day of ..... 20.....
2. The said ..... (deceased) by his Will dated..... day of ..... 20..... appointed ..... of.....to be executor thereof.
3. On the ..... day of ..... 20 ..... this Honourable court granted unto .....and..... (names of the removed or revoked ....., (executors) probate of the said Will of the said deceased.

(Where the deceased died intestate substitute paragraphs 2 and 3 with the following);

On the ..... day of ..... 20..... this Honourable court granted unto the said .....and..... (name of the removed or revoked administrator(s)),....., (administrator) letters of administration of the estate of the said .....(deceased). Annexed hereto and marked .....is a certified copy of the said grant of letters of administration made to the said .....

4. The grant of probate/letters of administration to the said .....and.....(*name of the removed or revoked executor(s)/administrator(s)*), was revoked by this court .....on the .....day of..... 20..... leaving the estate/part of the estate of the said ..... (*deceased*) unadministered. (*A decision of the court revoking the grant is hereby attached*).
5. The said deceased left surviving him the following beneficiaries; (*give their full names, designation and their residences*).

SN	NAME	RELATIONSHIP WITH THE DECEASED	ADDRESS/PHONE NO.
1.			
2.			
3.			
4.			
5.			

1. This petition is made by me .....as .....(*state the interest of the petitioner*).
2. I believe that the estimated gross value of the assets which are likely to come to my hands will be TZS..... inclusive of the following;
  - (i).....
  - (ii).....
  - (iii).....
 (*state the nature, estimated value and location of the assets*)

1. The said deceased at the time of his death had a fixed place of abode at .....(*street*).....(*ward*).....(*district*).....and..... (*region*) in.....(*country*).
2. This court has jurisdiction because ..... (*state reasons*)
3. The said deceased was a .....(*state nationality*) and professed..... religion.
4. No similar application or proceedings have been commenced before any court or authority. (*Where such proceedings have been commenced specify the nature of the proceedings, the country and the court where commenced. attach documents if any*).

The Probate (Amendment) Rules

GN. No. 429 (Contd)

- 5. I ....., the said petitioner, therefore pray that letters of administration of the estate/remaining estate of the said .....(deceased) as remains unadministered, be granted to me.
- 6. AND I, ....., the petitioner above-named, declare that what is stated above is true to the best of my knowledge, information and belief.

Dated at ..... this ..... day of ..... 20.....

.....  
Signature of Petitioner

.....  
Signature of Advocate (if any)

- (f) deleting Form 27;
- (g) deleting Form 45;
- (h) deleting Form 54;
- (i) deleting Form 63 and substituting for it the following:

FORM 63

APPLICATION FOR CITATION TO CAVEATOR  
(Section 59(2), Rule 82(4))

To: The Registrar,  
.....  
.....

C.D., being the person who has petitioned to this Honourable Court for grant of probate of

the Will (or letters of administration of the estate) of A.B., late of .....

deceased, who died at .....on the ..... day of

..... 20..... hereby applies that a citation under section 59(2) of the Probate and

Administration of Estates Act may be issued to .....

of ..... who has entered a caveat in the estate of the said deceased.

Dated at .....this ..... day of ..... 20.....

.....  
(To be signed by the Petitioner or his advocate).

(j) deleting Form 65 and substituting for it the following;

FORM 65

APPEARANCE BY CAVEATOR  
(Rule 82A)

CAVEAT dated the ..... day of ..... 20.....

Name of the deceased:  
.....

Name and address of the petitioner:  
.....

Name and address of the caveator:  
.....

ENTER AN APPEARANCE for the above-named caveator  
..... Dated at .....  
this ..... day of ..... 20.....

.....  
(Signature of the caveator or his advocate)

(A copy of this appearance and of the accompanying affidavit of the said caveator to be served upon the petitioner above-named.)

(k) deleting Form 66 and substituting for it the following:

FORM 66

GRANT OF PROBATE/ LETTERS OF ADMINISTRATION  
(Rule 84(1))

BE IT KNOWN that ..... (executor/administrator) has been this ..... day of ..... in the year ..... appointed to execute the last Will/administer the estate of the late ..... deceased, who died at .....on the ..... day of ..... 20....., he having undertaken to administer the said property and credits and to make a full and true inventory of the said property and credits and exhibit the same in this court within six months or such other time as the court may direct, and also to render to this court a true account of the said property and credits within three months.

The said.....(executor/administrator) shall open a special *mirathi* account with any existing bank through which all monies due

to the deceased shall be routed or deposited and submit details of the said account to the court.

Given under my hand and seal of the Court this..... day of.....20.....

.....  
Registrar/Magistrate

(l) deleting Form 67 and substituting for it the following:

FORM 67

TRANSFER OF DECEASED’S MONEY INTO  
SPECIAL *MIRATHI* ACCOUNT  
(Rule 105A (3))

To.....

WHEREAS ..... has been appointed executor/administrator of the estate of the late ..... AND WHEREAS ..... (deceased) was a member/maintained an account with your institution/organisation or you had a sum of money which was due to the deceased.  
AND WHEREAS a special *mirathi* account No. .... of ..... bank, at..... branch has been opened specifically for receiving money due to the deceased.

NOW THEREFORE this is an order for transfer all the monies standing to the credit of the deceased into the said special *mirathi* account. And upon transfer of the said credit, you are directed to submit proof to this court accordingly.

Given under my hand and seal of this court this.....day of..... 20.....

.....  
Registrar/Magistrate

(m) deleting Form 68;  
(n) deleting Form 77 and substituting for it the following:

FORM 77

UNDERTAKING BY ADMINISTRATOR OF SMALL ESTATE  
(Section 76, Rule 85)

The Probate (Amendment) Rules

GN. No. 429 (Contd)

I, ..... hereby solemnly and sincerely declare that I will well and faithfully administer the estate of the above-named deceased person, by paying his just debts and distributing the residue according to law.

Dated at ..... this..... day of.....20...

..... DEPONENT

VERIFICATION

I, ....., do hereby verify that what is stated above in paragraphs ..... is true according to my own knowledge and belief. Verified at ..... this .....day of .....20.....

..... DEPONENT

SWORN/AFFIRMED at ..... by the said ..... who is personally known to me/identified to me by ..... this .....day of .....20..... DEPONENT

BEFORE ME: Name:..... Occupation..... Address..... Signature:..... Date:.....

COMMISSIONER FOR OATHS

- (o) deleting Form 78; (p) deleting Form 80 and substituting for it the following:

FORM 80

INVENTORY OF ESTATE (Rule 106)

Date of Grant: .....

ASSETS

Table with 3 columns: Item No., Description and Location of Property, Value. Row 1: Immovable properties

*The Probate (Amendment) Rules*

*GN. No. 429 (Contd)*

	Cash in hand	
	Stocks and shares	
	Insurance policies	
	Interest in business	
	Book debts	
	Furniture	
	Personal effects	
	Other properties value	
	Total	
LIABILITIES		
Item No.	Description and Location of Property	Value
	Names of creditors	
	Mortgages	
	Other debts	
	Death bed expenses	
	Funeral expenses value	
Total		

I, ..... the administrator/executor of the estate of the said ..... hereby certify that the foregoing inventory of the said estate is true to the best of my knowledge, information and belief.

Dated at ..... this ..... day of ..... 20.....

.....  
Signature of Executor/Administrator

(q) deleting Form 81 and substituting for it the following;

FORM 81

ACCOUNTS OF ESTATE  
(Rule 106)

Date of Grant: .....

Item No:Receipts	Value
1.	Estate as per inventory
2.	Estate realised
3.	Gain (or loss) on realisation

Gross estate:

Payments

*The Probate (Amendment) Rules*

*GN. No. 429 (Contd)*

1. Funeral expenses
2. Debts
3. Administration expenses
4. Net estate available for distribution

Total

The aforesaid residue of ..... has been (or will be) divided amongst the following persons entitled to the same:

S/N	Property Name of Person entitled *Beneficiaries' bank account details	How	entitled Amount /
			Percent

- 1.
- 2.

Applies only where the distribution involves deceased's money.

I ..... the administrator (or executor) of the estate of the said ..... hereby certify that the foregoing accounts are true to the best of my knowledge and belief.

Dated this ..... day of ..... 20.....

.....  
Signature of Executor/Administrator

Deletion and substitution of Second Schedule

44. The principal Rules are amended by deleting the Second Schedule and substituting for it the following:

“SECOND SCHEDULE

(Under Rule 117)

COURT FEES

SN	Matter for which fees may be charged	Fees in TShs.
1.	On filing application for probate or letters of administration	10,000/=
2.	On filing application for letters of administration where such application is required to be made by chamber summons	10,000/=
3.	On filing application for resealing of a grant	10,000/=
4.	On filing every administration oath or executor's oath	10,000/=
5.	On filing every security	10,000/=
6.	For every grant issued	5,000/=

*The Probate (Amendment) Rules*

*GN. No. 429 (Contd)*

7.	On filing inventory or account	Included in the filing fees
8.	For every notice or summons issued	Included in the filing fees
9.	On filing every summons or application not otherwise provided for	10,000/=
10.	On filing every affidavit or other documents not otherwise provided for	10,000/=
11.	On filing an amended petition, application or other document	10,000/=
12.	For every order or decree	Included in the filing fees
13.	For inspection of any record or document lodged in the court or for reference to the archives	5,000/=
14.	On making payment of a sum of money or security or delivering a thing into the court to the account of a person entitled to the same under a will or on intestacy 5 percent of the amount so paid or on the declared value of the thing so delivered.	5,000/=
15.	For all other acts, matters and proceedings not specifically provided for above, such fees as are payable in respect of similar acts, matters or proceedings in civil suits shall be payable.”	5,000/=

Dodoma,  
10<sup>th</sup> July, 2025

GEORGE MCHECHE MASAJU  
*Chief Justice*