



# Syllabus

# STEP Advanced Certificate in Administration of Estates (Northern Ireland)



[www.step.org/diploma](http://www.step.org/diploma)

# Administration of Estates

## Introduction

This document contains the detailed syllabus for the STEP Advanced Certificate in Administration of Estates (Northern Ireland).

For more information about the course and how to apply, please visit the programme website: [www.clint.com/courses/step-advanced-certificate-in-administration-of-estates-northern-ireland](http://www.clint.com/courses/step-advanced-certificate-in-administration-of-estates-northern-ireland)



# Administration of Estates

## Module 1

### VALIDITY OF THE WILL

#### **This module covers:**

- The requirements for the making of a will
- When a will is not valid.

#### **By the end of this module you should be able to:**

- Identify the requirements for the making of a will
- Explain the circumstances of privileged wills and statutory wills
- Understand the importance of article 5 of the Wills and Administration Proceedings (Northern Ireland) Order 1994
- Explain who may witness a will
- Advise when a will is not valid.

# Administration of Estates

## Module 2

### THE LAYOUT AND CONTENT OF WILLS

#### **This module covers:**

- The general layout of a will
- The standard clauses used in a will
- The different types of gift that may be given in a will.

#### **By the end of this module you should be able to:**

- Describe the general layout of a will
- Identify the standard clauses used in a will
- Explain the different types of gift that may be given in a will.

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## Module 3

### PROFESSIONAL WILL DRAFTING AND THE ROLE OF THE COURTS

#### **This module covers:**

- The role of professionals in will preparation
- How documents can be incorporated
- When negligence issues may arise
- How the court approaches issues on the construction of a will
- The remedies available to deal with problem wills.

#### **By the end of this module you should be able to:**

- Describe the role of professionals in will preparation
- Identify when negligence issues may arise
- Understand how the court approaches issues on the construction of a will
- Be aware of the remedies available to deal with problem wills.

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## Module 4

### REVOCAION, ALTERATION AND REPUBLICAION OF THE WILL

#### **This module covers:**

- The ways in which a will may be revoked
- The effect of marriage and divorce on a will
- The effect of alterations in a will
- The mode and effect of republishing a will.

#### **By the end of this module you should be able to:**

- Understand the ways by which a will may be revoked, including:
  - By will or codicil
  - By remarriage or divorce
  - By destruction
- Explain the doctrine of dependent relative or conditional revocation
- Explain the effect of marriage and divorce on a will
- Understand the effect of alterations in a will
- The nature and effect of republication.

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## Module 5

### BENEFICIARIES AND BENEFICIAL ENTITLEMENT

#### **This module covers:**

- The various types of legacy that might appear in a will
- The requirements for ascertaining the identity of beneficiaries in a will
- The position where a beneficiary predeceases the testator
- The relevance of survivorship clauses to will drafting
- The principles of forfeiture.

#### **By the end of this module you should be able to:**

- Identify the various types of legacy that might appear in a will
- Identify the requirements for ascertaining the identity of beneficiaries in a will where there is doubt
- Identify the position where a beneficiary predeceases the testator
- Explain the relevance of survivorship clauses in a will
- Understand the principles of forfeiture.

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## Module 6

### *DONATIO MORTIS CAUSA*

#### **This module covers:**

- The meaning of *donatio mortis causa*
- The requirements for a valid *donatio mortis causa*
- When the doctrine applies.

#### **By the end of this module you should be able to:**

- Define what is meant by a *donatio mortis causa*
- Identify the requirements for a valid *donatio mortis causa*
- Explain when the doctrine applies.



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## Module 7

### INTESTACY

#### **This module covers:**

- The intestacy rules
- Entitlement to benefit under intestacy
- When intestacy occurs.

#### **By the end of this module you should be able to:**

- Describe and apply the intestacy rules
- Identify who is entitled to benefit under an intestacy
- Explain how the intestacy rules apply to children
- Describe the position of personal representatives
- Recognise when an intestacy situation arises.

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## Module 8

### APPLYING FOR THE GRANT

#### **This module covers:**

- When a grant is required
- The steps necessary to obtain a grant
- The excepted estates procedure
- Delivery of the inheritance tax account.

#### **By the end of this module you should be able to:**

- Identify when a grant is required
- Explain the steps necessary to obtain a grant
- Describe what needs to be done if there are problems with the will
- Identify the documents that need to be lodged to obtain a grant
- Identify which of the deceased's assets are to be included for the purposes of inheritance tax
- Explain the issues involved in valuing property for the purposes of the inheritance tax account
- Describe the excepted estates procedure and process for the delivery of the inheritance tax account.

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## Module 9

### OBTAINING THE GRANT

#### **This module covers:**

- Who can obtain a grant
- The different types of grant and when they should be used
- The different statement of truths relating to probate and letters of administration
- The different special forms of grant and when they should be used.

#### **By the end of this module you should be able to:**

- Identify who can obtain a grant
- State the different types of grant
- Identify the different special forms of grant and explain when they should be used.

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## Module 10:

### ADMINISTRATION OF THE ESTATE

#### **This module covers:**

- The definition of a solvent and insolvent estate
- The statutory order for the payment of debts
- Directions in a will for the payment of legacies
- The duties and responsibilities of personal representatives in relation to the administration of the estate.

#### **By the end of this module you should be able to:**

- Distinguish between a solvent and insolvent estate
- Explain the statutory orders for the payment of debts
- Identify whether or not there are directions in a will for the payment of legacies
- Explain the duties and responsibilities of personal representatives in relation to administering the estate, in particular:
  - Finding creditors
  - Finding beneficiaries
  - Dealing with personal injury and fatal accident claims.

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## Module 11

### JOINT WILLS, MUTUAL WILLS AND SECRET TRUSTS

#### **This module covers:**

- What is meant by a joint will
- The characteristics of a mutual will
- The characteristics of secret trusts.

#### **By the end of this module you should be able to:**

- Define what is meant by a joint will
- Identify the characteristics of a mutual will
- Distinguish between mutual wills where a constructive trust has been created and those where it has not
- Identify the characteristics of secret trusts and half-secret trusts.

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## Module 12

### THE INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) (NI) ORDER 1979

#### **This module covers:**

- When the Inheritance (Provision for Family and Dependants) (NI) Order 1979 applies
- Persons eligible to make a claim under the Order
- What type of financial orders may be obtained as a result of a claim.

#### **By the end of this module you should be able to:**

- Explain when the Order applies in relation to:
  - Spouses or civil partners;
  - Former spouses or civil partners;
  - Co-habitees;
  - Children;
  - Those treated as children of the marriage or civil partnership; and
  - Persons maintained by the deceased
- Define what is meant by reasonable provision
- Identify the factors taken into account by the court to assess reasonable provision
- Describe the financial orders that the court may make as a result of a claim under the Order.

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## Module 13

### POST-DEATH VARIATIONS

#### **This module covers:**

- The characteristics of:
  - A variation
  - A disclaimer
- The differences between the two and why one may be preferred to the other
- When a variation may be beneficial.

#### **By the end of this module you should be able to:**

- Identify the characteristics of:
  - A disclaimer
  - A variation
- Describe the differences between the two and explain why one may be preferred to the other
- Explain when a variation may be beneficial.

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## Module 14

### ELECTION AND SATISFACTION

#### **This module covers:**

- The definition of election and satisfaction
- When an election may be made
- The relevance of the doctrines to the administration of a deceased's estate
- When the requirements of the doctrine of satisfaction apply.

#### **By the end of this module you should be able to:**

- Explain what is meant by election and satisfaction
- Identify when an election may be made
- Describe when the requirements of the doctrine of satisfaction apply.



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## Module 15

### FOREIGN PROPERTY AND WILLS

#### **This module covers:**

- Terminology relating to domicile and foreign wills
- The distinction between movable and immovable property
- The importance of the choice of law governing a will.

#### **By the end of this module you should be able to:**

- Identify and use terminology relating to domicile and foreign wills
- Explain the distinction between movable and immovable property
- Describe the importance of the choice of law governing a will.

# Contact us

**For full details of the programme visit:**

[www.cltint.com/courses/step-advanced-certificate-in-administration-of-estates-northern-ireland](http://www.cltint.com/courses/step-advanced-certificate-in-administration-of-estates-northern-ireland)

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