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<http://www.kltr.gov.uk>

Our ref:

Date: 25 July 2023

PRIVATE & CONFIDENTIAL

██████████
By Email
██

Dear ██████████

I refer to your e-mail of 11 July 2023 in which you requested the following information:-

Currie on Confirmation for Executors, 9th edition paragraph 6-58, contains guidance relevant to the involvement of KLTR in executory cases. I request a copy of the following information which relates to this guidance.

1. A copy of the memorandum which explains the 'Petition for Gifts' procedure.
2. A copy of the procedure whereby KLTR can require solicitors to advertise for heirs.

It should be noted that *Currie on Confirmation for Executors*, 9th edition was published in 2011. It does not reflect current KLTR policies or practice.

The KLTR does not presently have a 'petition for gifts memorandum'. The current equivalent may be our policy UH9 (Discretionary payment to party who is not an entitled intestate heir).

The KLTR does not prescribe a process to solicitors for advertising estates. Any estate which is suspected to have fallen to the Crown can be reported to NUHU in accordance with policy UH2 (Initial Investigation).

Both of the above policies can be viewed on our website <https://www.kltr.gov.uk/about/our-policies/>

If you are dissatisfied with the KLTR response to your FOI request, you have the right to ask us to review it. Your review request should be made within 40 working days of receipt of this letter; please e-mail policy@kltr.gov.uk and we will reply within 20 working days of receipt.

The review will be undertaken by a member of the KLTR FOI unit who was not involved in the original consideration of your request.

Under section 47(1) of FOISA if the KLTR position is unchanged following a review you have the right to appeal to the Scottish Information Commissioner within six months of receiving the review.

Under section 48(c) of FOISA that right of appeal might be limited as it can be subject to what information is requested. It is for the Scottish Information Commissioner to decide if he will accept your appeal on a case by case basis.

Yours sincerely

Susan Macdonald

Senior Policy Advisor

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