



**CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher
Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma**

Unit 21 – Probate Practice

Question paper

June 2025

Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)

Instructions and information

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- A basic calculator is provided should you require the use of one.
- You can use your own unmarked copy of the following designated statute book – ***Blackstone's Statutes on Property Law, 31st edition, Meryl Thomas, Oxford University Press, 2023.***
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions.

Question 1

Reference: Question relates to **Documents 1 and 2** of the case study materials.

- (a) Describe how the PRs of Alison's estate should transfer 25 Vintage Fare Ltd shares each to Charles and Donna.

(5 marks)

- (b) Explain to Marcus what the Capital Gains Tax consequences of transferring Alison's Vintage Fare Ltd shares to Charles and Donna will be for Alison's estate.

(5 marks)

- (c) Brian has confirmed that he would like to transfer his shares in Vintage Fare Ltd to Charles and Donna.

Explain to Brian:

- the relevant principles of Business Property Relief;
- whether Business Property Relief will be available if he decides to transfer his 50 shares in Vintage Fare Ltd to Charles and Donna now;
- whether Capital Gains Tax will be payable if he decides to transfer his 50 shares in Vintage Fare Ltd to Charles and Donna now.

(15 marks)

(Total: 25 marks)

Question 2

Reference: Question relates to **Documents 3 and 4** of the case study materials.

- (a) Advise Fadi:

- how the Will you prepare for him should be executed to ensure its validity;
- what arrangements could be made for him to execute the Will at home;
- why remote witnessing is not possible.

(18 marks)

- (b) Explain to Marcus what he should consider regarding the £25,000 cash that Hakim discovered in Fadi's lockup, in view of his regulatory obligations.

(12 marks)

(Total: 30 marks)

Question 3

Reference: Question relates to **Document 5** of the case study materials.

(a) Explain to Lisa and Mandy:

- what they must do now that Karen's flat has been sold to finalise the Inheritance Tax (IHT) position for Karen's estate;
- whether any further IHT will be payable.

(10 marks)

(b) Advise Lisa and Mandy what further steps should be taken to complete the administration of Karen's estate.

(10 marks)

(c) Advise Lisa and Mandy what powers they will have to carry out their duties as personal representatives of Karen's estate.

(5 marks)

(Total: 25 marks)

Question 4

Reference: Question relates to **Document 6** of the case study materials.

(a) Explain to Thomas and Violet:

- what type of grant of representation they will need to apply for to deal with Rita's estate;
- why you will not be able to make an online application for this type of grant.

(8 marks)

(b) Explain to Thomas and Violet:

- under which category Sean might be able to make a claim against Rita's estate under the Inheritance (Provision for Families and Dependents) Act 1975;
- the special additional guidelines the court would have regard to in deciding any claim made by Sean.

(12 marks)

(Total: 20 marks)

End of the examination