Supreme Court Rules 1937—Form 2.15

(see o 72 r 31A)

Affidavit of justification

In the Supreme Court of the Australian Capital Territory

Probate jurisdiction

No P of (year)

In the estate of (name), late of (last address, occupation), deceased

On (date, eg 14 June 2005), I *[say on oath/solemnly affirm]—

1 *[My/(if the person making the affidavit is a proper officer of the surety corporation, state the corporation's name eg ABC Pty Ltd's] net worth (that is, total assets less total liabilities) is more than \$ [amount].

[for an individual]

- 2 My assets are:
 - (a) real estate, as follows: [for real estate, give the property's value and details that identify the property eg street address and district, section and block]; and
 - (b) personal property², as follows: [for personal property, give the property's value and details that identify the property]

Examples of personal property and identifying details

- for shares, the name of the company and the number of shares
- for money on deposit or current account with a financial institution, the name of the financial institution, the name of the account holder, the account number and the amount
- for a life insurance policy, the name of the insurer, policy number, the number of years in force with surrender value, and age of surety at time of making this affidavit]

Approved form under Court Procedures Act 2004, s 8

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3 My liabilities are: [include details of liabilities and amounts, eg mortgage with XYZ Bank over 31 Emmy Street Blueacre for \$100 000]

[or]

[for a corporation]

- 2 The [corporation's name] assets and liabilities are as set out in the following financial statements for the past 3 financial years, copies of which are annexed to this affidavit:
 - [list types of financial statements, dates of the statements and relevant annexure reference eg, balance sheet for 2002-2003 financial year, at annexure A]
- 3 *[I am/[if the person making the affidavit is a proper officer of the surety corporation, The (name of corporation) is] not surety in any other matter [or if a surety in any other matter, state the matter and amount].

(signature of person making affidavit)

*[Sworn/Affirmed] at

before me-

(signature of person before whom affidavit is taken) *[Justice of the Peace/Barrister/Solicitor/(other)]

*(delete whichever is inapplicable)

- Note 1 If the surety is an individual, state name, address and occupation; if the surety is a corporation, state the name of the person making the affidavit, the person's position as a proper officer of the corporation and the corporation's name and ACN, eg managing director, ABC Pty Ltd ACN 123 456 789.
- Note 2 For personal property, include only items of personal property that significantly contribute to your net worth.

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This form was originally in the *Supreme Court Rules 1937*. Under the *Court Procedures Act 2004* A2004-59, pt 8, the form became a form approved under that Act.

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