

Form 2.79 Executor's, administrator's or trustee's affidavit and account

Court Procedures Rules 2006

(see r 2747 (Estate and trust accounts—compliance with order for examination and passing of accounts) and r 2748 (Estate and trust accounts—application for commission))

*Probate jurisdiction

No *[P/SC] of (year)]

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

*In the matter of (*identify the trust property*)

On (*date*), I (*full name of person making affidavit*) of (*home or business address or place of employment*), *[say on oath/solemnly affirm]—

*1. I am the *[executor/administrator] of the estate of (*name of deceased person*) and *[probate/letters of administration] *[was/were] granted to me on (*date of grant*).

OR

*1. I am the trustee of (*identify the trust*).

2. The account annexed to this affidavit and marked 'A' is a full and correct account of the administration of the *[estate/trust property].

*[Sworn/Affirmed] by (*full name*):

(*signature of person making affidavit*)

at (*place*) in the presence of:

Filed on behalf of applicant by:

(*the applicant's address for service and telephone number (if any) or, if the applicant is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

(signature of person before whom affidavit is made)

(full name of person before whom affidavit is made) of (address)

*[Justice of the Peace/Barrister/Solicitor/(*other*)]

Note If the affidavit is longer than a page, the person making the affidavit and the person taking the affidavit must sign or initial each page of the affidavit (see r 6715 (1) (Affidavit—taking of)).

**omit if, or whichever is, inapplicable*

A

This and the following (*number*) pages is the annexure marked 'A' mentioned in the affidavit of (*name of person making affidavit*) *[sworn/affirmed] at (*place*) on (*date*) before me:

(*signature of person before whom affidavit was made*)

*[Justice of the Peace/Barrister/Solicitor/(other)]

Accounts

In the *[Estate of (*name*)/Matter of (*identify trust property*)]

No. *[P/SC] of (*year*)

Receipts

Item [^]	Date received	Received from	On what account received	Amount capital	Amount income
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

[^]*in order of date of receipt*

Assets realised

Item no from table of receipts	Asset	Amount capital	Amount income

Assets transferred

Transfer date	Description of asset	Person to whom assets transferred	*Transferred in original state [^] [Yes/No]

[^]If transferred in original state, acknowledgement of receipt by the beneficiary should be produced.

Assets unrealised (including investments[^])

Description of asset	Evidence of existence of asset

[^]A full list of investments must be included. If a business is being carried on, a full profit and loss account must be included or a statement referred to and attached.

Disbursements

Item no.^	Date of payment	Person to whom payment made	For what purpose paid	Amount capital	Amount income
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

^in order of date of payment

Distributions^

Item no.#	Date of distribution	Person to whom made	For what purpose paid	Amount capital	Amount income
1					
2					
3					
4					

^Receipts of the beneficiaries for the distributions should be produced.

#In order of date of distribution

SUMMARY

Total receipts	\$
Less total disbursements	\$
Less distributions	\$

Balance	\$
