

Form 3.23 Affidavit in support of application by public trustee and guardian

Court Procedures Rules 2006

(see r 3055 (Administration by public trustee and guardian—application))

In the Supreme Court of the Australian Capital Territory

Probate jurisdiction

No P of (year) (*Court to complete*)

In the estate of (*full name of deceased person, including any known alias*), late of (*last address*), deceased

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

1. (*Name*) died at (*place of death*) on (*date of death*).
- *2. A copy of what I believe to be the last will of the deceased person dated (*date*) is annexed and marked '(*insert letter, eg 'A'*)'.

OR

- *2. The deceased person died without leaving a will.
3. The deceased person *[left/did not leave] property (whether real or personal) in the ACT.
- *4. The deceased person died without leaving a domestic partner or any next of kin.

Filed for the 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*)

*4. The deceased person left a *[domestic partner (*state name*)/next of kin (*state name and relationship to deceased person*)] resident in (*state jurisdiction*).

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

(*signature of person making affidavit*)

at Canberra in the presence of:

(*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*