

Form 3.19 Affidavit of applicant for reseal of foreign grant

Court Procedures Rules 2006

(see r 3022 (Reseal of foreign grant—supporting affidavit for application))

In the Supreme Court of the Australian Capital Territory
Probate jurisdiction

No PRO of (year)

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. *[Probate of the will *[and the codicil*(s)]/Letters of administration of the estate/An order to collect and administer the estate] of the deceased person has been *[granted/made] by (*name of court*), a court of competent jurisdiction in (*name of reciprocating jurisdiction*), to *[me/(*name(s)*)] on (*date grant or order was made*).
- *2. I am *[the/a] person *[to whom the grant was made/for whom the order was made].

OR

- *2. I am authorised, under a power of attorney, by the *[the/a] person *[to whom the grant was made/for whom the order was made] to make this application. I have not been given notice of revocation of the power of attorney. A true copy of the power of attorney is annexed and marked '(*insert letter, eg 'A'*)'.

Filed for the *[executor*(s)/administrator] by:
(*the address for service and telephone number (if any) of the *[executor*(s)/administrator] or, if the *[executor*(s)/administrator] *[is/are] represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor*)

3. The *[grant/order] has not been revoked. A true copy of the *[grant/order] is annexed and marked ‘(insert letter, eg ‘B’)’.
4. The deceased person left property (whether real or personal) in the ACT.
5. An inventory of all property (both real and personal) of the deceased person in the ACT of which I am presently aware is annexed and marked ‘(insert letter, eg ‘C’)’. I will disclose to the Court any other property of the deceased person in the ACT that comes to my notice.
6. The estimated gross value of the deceased person’s property (both real and personal) in the ACT is \$ (amount).
7. If this application is granted, I will administer the estate according to law and, if required, I will give an account of my administration to the Court.
8. Notice of intention to make this application was published on (date) in the (name of newspaper), a daily newspaper circulating generally in the ACT. A copy of the notice as published is annexed and marked ‘(insert letter, eg ‘D’)’.

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

(signature of person making affidavit)

at (place) 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

**omit if deceased person left property in the ACT

Inventory of the property of the estate of (*name of deceased person*) in the ACT

Note The inventory must list each item of property in the deceased person's estate with sufficient detail to identify the property.

Property owned solely by the deceased person in ACT

Description of property	Estimated value (\$)
Real estate	
Money in financial institutions	
Shares in companies	
Motor vehicles	
Personal belongings	
Other assets	
Gross value of property in ACT	
ACT liabilities	
Net value of property in ACT	

Property owned jointly by the deceased person with other people in ACT

Note This property does not form part of the deceased person's estate.

Description of property	Estimated value (\$)