

**IN THE SUPREME COURT OF VICTORIA
IN ITS PROBATE JURISDICTION**

20 No.

In the matter of the Will of [name] deceased.

Application by: [name] Plaintiff(s)

AFFIDAVIT OF DUE EXECUTION

Date of document:

Filed on behalf of the plaintiff(s).

Prepared by: [Name and address
of lodging party]

Ref:

DX:

Tel: [number]

CODE: [solicitor code]

I, [name]

of [address]

make oath and say:

1. That I am one of the subscribing witnesses to the last Will of [name] deceased, the said Will bearing date the [date] and being shown to me at the time of swearing this my affidavit, and marked with the letter "A".
2. That the Testator executed the said Will on the said date by signing his name at the foot of the said Will as it now appears therein in the presence of me and of [name] the other subscribing witness thereto, both of us being present at the same time, and we thereupon attested and subscribed the said Will in the presence of the said Testator.

SWORN BY THE DEPONENT

at [place]

on [date]

Before me

[Care must be taken to exhibit the original will to the affidavit of due execution. The affidavit will be required in the following cases:

- (a) where the will was executed by a testator affixing his mark to the will;
- (b) where the will contains no attestation clause or the attestation clause is insufficient to afford evidence of due execution;
- (c) where the will bears no date of execution or there is doubt as to the date of execution;
- (d) where the will was or appears to have been executed by a blind or illiterate person or by another person at the direction of the testator;
- (e) in any other case in which it is required by the Registrar]