**IN THE SUPREME COURT OF VICTORIA**

**IN ITS PROBATE JURISDICTION**

S PRB [*Application No.*]

|  |  |
| --- | --- |
| In the matter of the deceased estate of *[name]* | |
|  |  |
| Application by: |  |
| *[Plaintiff’s name]* | Plaintiff(s) |

# CONSENT TO DISPENSATION OF SURETY

Date of document:

Filed on behalf of the plaintiff

Prepared by: *[name and*

*address of lodging party]* Ref: *[solicitors only]*

DX: *[solicitors only]*

CODE: *[solicitors only]*

Tel: *[number]* E-mail: *[e-mail address]*

This is the consent to dispensation of surety marked "A" referred to in the affidavit of *[name]* sworn/affirmed on *[date]*

Before me:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Full name

Address

Qualification

1. I *[name]* of *[address]*, say I am over the age of 18 years and under no legal disability.
2. I am the *[relationship to the deceased]* of *[deceased’s name]* (‘the deceased’) and a person entitled to share in the deceased’s estate.
3. I am aware that [name] (‘the plaintiff’) has made an application for letters of administration in relation to the deceased’s estate and that the Registrar of Probates has requested the plaintiff file a surety guarantee pursuant to rule 7.01 of the *Supreme Court (Administration and Probate) Rules* 2014. I understand this was done to protect my interests as a beneficiary of the estate.
4. I DO HEREBY CONSENTto the dispensation for the need to provide a surety AND ACKNOWLEDGE that I thereby am giving up the protection which a surety would have afforded me, and I am relying solely upon the integrity of the plaintiff for the due administration of the deceased’s estate.

Dated:

SIGNED by *[name]*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

In the presence of *[name]*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of witness