**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) |

**AFFIDAVIT VERIFYING 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]*

CODE: *[solicitors only]*

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

I, [*name*] of [*address*], [*occupation*] affirm/make oath and say:

1. That I was present on [*date*] and did see [*name*] sign the consent to dispensation of surety now produced and shown to me and marked "A" and that I signed my name as attesting witness.
2. That prior to the said consent being signed it was read over and its meaning explained to [*name*] by me [*name*] that they would be giving up the protection which a surety would afford them, and they would be relying solely upon the integrity of the plaintiff for the due administration of the estate of the deceased.
3. Before signing, [*name*] stated that they fully understood the legal effect of signing the consent to dispensation of surety as explained by me.

The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

Sworn/affirmed by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
the deponent

at  *[place]*

on *[date]*

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

Witness Full Name

Address

Qualification

A person authorised under section 19(1) of the *Oaths and Affirmations Act 2018*to take an affidavit.

**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) |

 **CERTIFICATE IDENTIFYING EXHIBIT**

Date of document:

Filed on behalf of the plaintiff

Prepared by: *[name and*

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

CODE: *[solicitors only]*

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

This is the consent to dispensation of surety marked “A” now produced and shown to [*name*] at the time of swearing/affirming their affidavit on:

…………………………………….… …………………………………….…

[Signature of authorised witness] [Signature of deponent]

[Name, address and statement of

capacity of person taking affidavit]

**Exhibit "A"**

 ***Consent to dispensation of surety***