

**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)

SURETY'S GUARANTEE – AFFIDAVIT OF JUSTIFICATION

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 [*Surety's name*] of [*Surety's address and occupation*] affirm/make oath and say that:

1. I am over 18 years of age and under no legal disability.
2. After payment of all my debts and liabilities I am well and truly worth in real and personal property [or *as the case may be*] not less than the sum of \$*
3. Particulars of my property and the values thereof are as follows:

[NOTE—*In setting out the property realty must be distinguished from personalty, and a separate gross value for each particular parcel or item thereof must be stated.*

(a) *When realty, the allotment, parish, street, etc. the area of land, whether there are buildings on the land, should be stated with sufficient accuracy to identify the land.*

(b) *When personalty, the following particulars should be given, for example—*

- 1) *Description of lease and number of years to run.*
- 2) *Number of shares in bank, building society, trading company etc.*
- 3) *Money on deposit or current account, giving name and address of bank, society etc.*
- 4) *Money lent on mortgage and registered number of same.*
- 5) *Household furniture and where kept.*
- 6) *Stock in trade of a business and premises wherein kept.*

- 7) *Farming implements, &c, where kept, and grain, quantity and where stored.*
- 8) *Policy of life insurance, number of years in force with surrender value, and age of the life assured at time of making this affidavit.*
- 9) *Live stock, number and kind and where depastured or kept.*
- 10) *Good book debts only.*

[Cash in hand and depreciating assets such as furniture and motor vehicles are generally not accepted nor are persons who can only justify to life insurance or superannuation policies.]

4. Particulars of my debts and liabilities are as follows:

[Set out particulars].

5. That I am not surety in any other matter *[or if a surety in any other matter state in what matter and to what amount]*.

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.