**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 OF NOMINATION AND CONSENT

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. I am over the age of 18 years and under no legal disability.
2. I am a beneficiary under the will of *[deceased’s name]* (‘the deceased’) and a person entitled to apply for letters of administration with the will annexed.
3. I do hereby nominate [*Plaintiff’s name*] (‘the plaintiff’) of [*Plaintiff’s address*] to obtain a grant of letters of administration with the will annexed.
4. I ask the Court to appoint the plaintiff as administrator as the following special circumstances apply: [*Detail the special circumstances*].
5. I understand as a beneficiary under the will of the deceased I would be entitled to apply for letters of administration with the will annexed, and that the plaintiff who is not a beneficiary under the will would usually not be entitled to apply.
6. I consent to a grant of letters of administration being made to the plaintiff.

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.