

**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 IN SUPPORT OF THE PROPOSED ADMINISTRATOR

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*]

Guidance for completing this affidavit

This affidavit should be completed by someone who knows the proposed administrator well and can provide information about their suitability to administer the deceased's estate.

Only include information that you personally saw, heard or experienced. Do not include information that is based only on what another person told you or information that you assume to be true. Give specific examples and dates if you can.

Complete the information requested wherever you see words in square brackets []. Before the document is signed, remove this guidance section and any instructions or examples in the document.

Complete every part below. If you cannot provide information about a particular matter from your own personal knowledge, write "I cannot provide evidence about this matter".

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

1. [*name of deceased*] ("the deceased") died on [*date*].
2. I make this affidavit in support of [*name of proposed administrator*] ("the proposed administrator"), who seeks to be appointed administrator of the deceased's estate.
3. My relationship to the proposed administrator is: [*relationship*].
4. I have known the proposed administrator since [*year*] and I have regular contact with them, usually [*frequency of contact e.g. weekly*].

5. The circumstances in which I have spent time with the proposed administrator are:
[provide details, for example, in a work setting, at social occasions, at family gatherings].
6. I confirm that I am not a beneficiary or a creditor of the deceased's estate.
7. During the period that I have known the proposed administrator, I have personally observed the following matters:
 - (a) Honesty and trustworthiness: *[Provide direct observations of when you have seen the proposed administrator act with honesty in their personal or professional life].*
 - (b) Reliability: *[Describe occasions where you observed the proposed administrator follow through on commitments, responsibilities or obligations].*
 - (c) Financial responsibility: *[Describe any occasions when you observed the proposed administrator responsibly manage money, property, assets, household finances, business affairs or other financial obligations].*
 - (d) Caring for and supporting others: *[Describe occasions when you saw the proposed administrator assist, support or act in the best interests of another person].*
 - (e) Decision making: *[Describe occasions when you observed the proposed administrator make sensible and responsible decisions].*
 - (f) Organisational capacity: *[Provide your observations with respect of the proposed administrator's ability to organise and manage tasks, manage responsibility, or deal with paperwork].*
 - (g) Other observations relevant to the proposed administrator's ability to administer the estate: *[Provide details].*
8. I am not aware of any reason why the proposed administrator would be unsuitable to administer the deceased's estate.
9. The facts set out above are matters that I personally observed or experienced.

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.