

**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 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 the proposed administrator.

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.

Answer every section below. Paragraphs 4–11 only apply if you have been chosen by a minor who is entitled to share in the estate to act on their behalf. If those paragraphs do not apply, delete them.

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

1. I am the plaintiff in this application.
2. I seek letters of administration of the estate of [*name of deceased*] (“the deceased”) who died on [*date*].
3. I make this affidavit to provide information to the Court about why I should be appointed administrator of the deceased’s estate.

4. I have been chosen to act as the guardian of *[full name]* ("the minor"), who is a minor and is the *[relationship]* of the deceased.
5. I am the *[relationship]* of the minor.
6. I have known the minor since *[year]* and I have regular contact with them, usually *[frequency]*.
7. The minor currently resides with: *[provide details, or state 'I do not know who the minor resides with']*.
8. To my knowledge, the following parenting orders or family law orders apply in relation to the minor: *[details or "none known"]*.
9. The circumstances in which I have spent time with the minor are: *[provide details, for example, they live with me, they often stay the night at my house, at family gatherings]*.
10. I understand that if I am appointed administrator, I must act in the best interests of the minor in relation to the estate.
11. I am not aware of any conflict between my interests and the interests of the minor in relation to the deceased's estate.
12. I *[am/am not]* a creditor of the deceased's estate.
13. The following information is relevant to whether I should be appointed administrator of the deceased's estate:
14. **Honesty and trustworthiness**
 - (a) *[Describe responsibilities that you have held where other people trusted you to manage money, property, information or important matters]*.
15. **Reliability**
 - (a) *[Describe responsibilities that you currently hold or have held in the past and how long you held those responsibilities.]*
16. **Financial responsibility**
 - (a) *[Describe your experience managing money, property, assets, household finances, business affairs, trusts, estates, powers of attorney or other financial responsibilities]*.
17. **Employment, volunteer work and community responsibilities**
 - (a) *[Provide details of your experience working or volunteering for organisations, including in what roles, for how long and what your responsibilities were]*.

18. Caring for and supporting others

- (a) *[Provide details of when you have assisted, supported or acted in the best interests of another person, particularly a child, family member or person who relied on you].*

19. Decision making

- (a) *[Describe situations where you were required to make important decisions for yourself or others].*

20. Organisational capacity

- (a) *[Describe your experience managing records, paperwork, finances, deadlines or administrative tasks].*

21. Previous appointments

- (a) *[Describe times you have previously acted as executor, administrator, attorney, guardian, trustee or in another position of responsibility or state "not applicable"].*

22. Other information relevant to being appointed administrator

- (a) *[Provide details of any other information, including any matter that may affect your ability to administer the estate, that you believe is relevant to your appointment as administrator].*

23. I am not aware of any reason why I would be unsuitable to administer the deceased's estate.

24. 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.