

**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 THE DECEASED'S SIGNATURE ON THE WILL

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 a person who is familiar with the deceased's signature. It should explain why you believe the signature on the will is the signature of the deceased.

This affidavit should only include things that you personally saw, heard or experienced. Do not include information that is based only on what another person told you or things 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.

If possible, attach as exhibits examples of the deceased's signature that you are familiar with, such as letters, cards, notes or other documents signed by the deceased.

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

1. I make this affidavit in relation to the will of [*insert name of deceased*] ("the deceased") dated [*date*] ("the will") , a copy of which is now produced and shown to me marked "A".
2. I am the deceased's [*relationship to the deceased*].
3. I knew the deceased from approximately [*date*] until [*date*].

4. During that period I became familiar with the deceased's handwriting and signature in the following way: *[Provide details. For example, receiving letters or cards from the deceased, observing the deceased sign documents, business dealings, correspondence]*.
5. I personally observed the deceased sign documents on the following occasions: *[provide details or state "I cannot provide evidence about this matter"]*.
6. I have reviewed the signature appearing on the will.
7. The following similarities between the signature on the will and signatures that I know to be those of the deceased lead me to believe that the signature on the will is the signature of the deceased: *[provide details]*.
8. Now produced and shown to me marked 'B' are copies of the documents containing signatures that I recognise as the deceased's signature. Those documents are: *[identify each document and, if known, state the approximate date of the document or state "I have not attached any documents"]*.
9. Having regard to my familiarity with the deceased's handwriting and signature, it is my opinion that the signature appearing on the will is the signature of the deceased.
10. The facts set out above are matters that I personally saw, heard 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.

**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 exhibit marked "A" now produced and shown to [*insert name*] at the time of swearing/affirming their affidavit on [*insert date*]:

.....

[Signature of authorised witness]

.....

[Signature of deponent]

Exhibit "A"

Copy of the will

**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 exhibit marked "B" now produced and shown to [*insert name*] at the time of swearing/affirming their affidavit on [*insert date*]:

.....
[Signature of authorised witness]

.....
[Signature of deponent]

Exhibit "B"

Documents containing the deceased's signature