Form 118 (version 3)
SCR Part 78 rule 12
(SCR Form 97)

AFFIDAVIT OF EXECUTOR

COURT DETAILS	
Court	Supreme Court of New South Wales
Division	Equity
List	Probate
Registry	Sydney
Case number	20XX/00000000
TITLE OF PROCEEDINGS	
	The estate of **Isabella Rose**
	Late of: Redfern, NSW
FILING DETAILS	
Filed for	**Edwin James Rose**
Contact name and telephone	Edwin James Rose, 02 9600 XXXX
Contact email	example@mail.com

SAMPLE

AFFIDAVIT

Name	Edwin James Rose
Address	6 Example Street, Redfern NSW 2016
Occupation	Engineer
Date	1 September 20XX

I affirm:

1. The document dated 1 November 20XX and signed in the margin by me and by the person before whom this affidavit is sworn is, I believe, the last will of Isabella Rose, late of Redfern, nurse, the deceased, and I am not aware of the existence of any other document purporting to embody the testamentary intentions of the deceased.
2. My means of identifying the will are: the deceased was my wife and I have seen her sign her name on many occasions. I recognise the signature on the will as my wife's signature.
3. The attesting witnesses to the will are Jack Smith and Jill Smith.
4. The deceased died on 20 June 20XX aged 64 years and I believe that the deceased is Isabella Rose referred to in the certificate of registration of death which is annexed and marked ``A''.
5. The deceased did not marry after the will was made.
6 The deceased left assets within New South Wales.
7. I am the executor named in the will and I am over 18 years of age.
8. Rodi De Grasse, named as joint executor in the will renounced probate of the will on 15 July 20XX.
9. If I am granted probate of the will of the deceased:
   (a)I will administer the estate according to law; and
   (b)I will:
      (i) verify and file; or
      (ii) verify, file and pass,
   my accounts relating to the estate of the deceased within 12 months from the date of grant if so required by the Court.
10. Notice of this application was published on the New South Wales On-line registry website on 20 July 20XX.
11. The names, ages and entitlements of the persons entitled in distribution of the estate of the deceased are-
    Edwin James Rose, 65 years old, whole estate.

EJ Rose *Thomas Kensington*

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B

SAMPLE

12. A statement of all assets of the deceased of which I am presently aware is annexed and marked ``B''. I will disclose to the Court any other asset which comes to my notice.

13. The liabilities of the deceased of which I am presently aware are as follows:

Date	Name of creditor, etc.	Description of liability	Estimated or known amount	
			Secured	Unsecured
18/01/1990	Example Bank Account	Mortgage on jointly owned real property	$ 50,000	
20/06/2014	Dr Simpson, cardiologist	Unpaid account		$450.00

14. The estate has a gross value of $44,024.12 and a net value of $43,574.12.

15. I am not aware of any circumstances which raise doubt as to my entitlement to a grant of probate of the will of the deceased.

16. Generative artificial intelligence was not used to generate this affidavit or any annexure to this affidavit prepared or created to my knowledge for the purposes of these proceedings.

AFFIRMED at Redfern

Signature of deponent *EJ Rose*

Name of witness Thomas Kensignton

Address of witness Suite 10/105 Example Street, Redfern NSW 2016

Capacity of witness Justice of the peace

And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1. I saw the face of the deponent.

2. I have confirmed the deponent's identity using the following identification document:

NSW Driver's licence.

Identification document relied on (may be original or certified copy)[2]

Signature of witness *Thomas Kensington*

[1] [The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

Note: The deponent and witness must sign each page of the affidavit. See UCPR 35.7B

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[2] ["Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see Oaths Regulation 2011 or refer to the guidelines in the NSW Department of Attorney General and Justice's "Justices of the Peace Handbook" section 2.3 "Witnessing an affidavit" at the following address: http://www.jp.nsw.gov.au/Documents/jp%20handbook%202014.pdf]

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