

Form 3.1 Originating application—probate

Court Procedures Rules 2006

(see r 3005 (Grant of representation—application))

In the Supreme Court of the Australian Capital Territory

Probate jurisdiction

No P of (year) (*Court to complete*)

In the estate of (*full name of deceased person, including any known alias*), late of (*last address*), deceased

**[I/We] (name*(s) of the executor*(s) named in the will *[and codicil*(s)] of the deceased person) apply for probate of the will dated (date) *[and the codicil*(s) dated (date*(s))] of the deceased person to be granted to *[me/us] as executor*(s).*

Affidavits

This application is supported by the following affidavits:

1. Affidavit of (*name*) *[sworn/affirmed] on (*date*).
2. Affidavit of (*name*) *[sworn/affirmed] on (*date*).

Note This application must be accompanied by the following (see r 3005 (2) and (3)):

- a draft of the grant of probate sought, in duplicate, with a copy of the will attached to each copy of the draft
- a supporting affidavit

Filed for the executor*(s) by:

(the address for service and telephone number (if any) of the executor(s) or, if the executor*(s) *[is/are] represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)*

- the original will, signed in the margin by the applicant and the person before whom the supporting affidavit is taken
- an affidavit of search
- any other affidavits required by a territory law
- anything else required under a territory law.

Executor*(s)

(complete the following for each executor)

(if executor is an individual)

Full name:

*[Home/Business] address:

(if executor is a corporation)

Name:

(if the corporation is a company or a registered body within the meaning of the Corporations Act 2001 (Cwlth))

*[Australian Company Number/Australian Registered Body Number]:

Type of body:

Address of *[registered office/public officer]:

**(if executor is represented by a solicitor)*

Solicitor's full name:

(if the solicitor practises in a firm of solicitors)

*Solicitor's firm:

Solicitor's full business address:

Solicitor's telephone no:

*Name, address and telephone no of solicitor's agent:

Address for service of documents

(set out executor's address for service)

(if represented by a solicitor the following information may be given)

*Document exchange box no:

(if postal address different from address for service)

*Postal address:

*Fax:

*Email address:

Date:

(signature of executor/executor's solicitor)

(name of executor/executor's solicitor)

**omit if, or whichever is, inapplicable*