

## Form 3.22                      Affidavit of justification

*Court Procedures Rules 2006*

(see r 3047 (Administration bond—affidavit of justification))

In the Supreme Court of the Australian Capital Territory

Probate jurisdiction

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

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

On (*date*), I (*full name of person making affidavit*) of (*home or business address or place of employment*), \*[say on oath/solemnly affirm]—

(*if the surety is an individual, state name, address and occupation; if the surety is a corporation, state the name of the person making the affidavit, the person's position as a proper officer of the corporation and the corporation's name and ACN, eg managing director, ABC Pty Ltd ACN 123 456 789*)

1.   \*[My/(*if the person making the affidavit is a proper officer of the surety corporation, state the corporation's name eg ABC Pty Ltd's*) net worth (that is, total assets less total liabilities) is more than \$ (*amount*).

(*complete if the surety is an individual*)

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Filed for the applicant\*(s) by:

(*the address for service and telephone number (if any) of the applicant\*(s) or, if the applicant\*(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*)

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- \*2. My assets are:
- (a) real estate, as follows: *(for real estate, give the property's value and details that identify the property eg street address and district, section and block); and*
  - (b) personal property, as follows: *(for personal property, give the property's value and details that identify the property).*  
*(for personal property, include only items of personal property that significantly contribute to your net worth)*
- [Examples of personal property and identifying details**
- *for shares, the name of the company and the number of shares*
  - *for money on deposit or current account with a financial institution, the name of the financial institution, the name of the account holder, the account number and the amount*
  - *for a life insurance policy, the name of the insurer, policy number, the number of years in force with surrender value, and age of surety at time of making this affidavit]*
- \*3. My liabilities are: *(include details of liabilities and amounts, eg mortgage with XYZ Bank over 31 Emmy Street Blueacre for \$100 000).*
- \*4. I am \*[not a surety in any other matter./a surety in the following matter(s): *(state the matter(s) and amount)*]

OR

*(complete if the surety is a corporation)*

- \*2. The *(corporation's name)*'s assets and liabilities are as set out in the following financial statements for the last 3 financial years, copies of which are annexed to this affidavit:
- (list types of financial statements, dates of the statements and relevant annexure reference eg, balance sheet for 2002–2003 financial year, at annexure A)*
- \*3. *(corporation's name)* is \*[not a surety in any other matter./is a surety in the following matter(s): *(state the matter(s) and amount)*].

\*[Sworn/Affirmed] by (*full name*):

(*signature of person making affidavit*)

at (*place*) in the presence of:

(*signature of person before whom affidavit is made*)

(*full name of person before whom affidavit is made*) of (*address*)

\*[Justice of the Peace/Barrister/Solicitor/(*other*)]

*Note* If the affidavit is longer than a page, the person making the affidavit and the person taking the affidavit must sign or initial each page of the affidavit (see r 6715 (1) (Affidavit—taking of)).

*\*omit if, or whichever is, inapplicable*