**EXECUTOR’S OATH AFTER PRONOUNCING FOR A WILL IN SOLEMN FORM**

SUPREMECOURT OF SOUTH AUSTRALIA

TESTAMENTARY CAUSES JURISDICTION

**In the Estate of [*FULL NAME OF DECEASED*] (Deceased)**

I, [*full name, address, postcode and occupation of deponent*], [*swear on oath / do truly and solemnly affirm*] that:

1 [*Name of deceased*] late of [*address and postcode*] deceased (“the deceased”) died at [*suburb*] [*postcode*] on [*date*] aged [*number*] years.

2 The deceased made and duly executed their last will and testament dated [*date*] [*or* *as the case may be*] (“the will”) and thereof appointed me executor.

3 On [*date*] the Honourable[*Justice/Associate Justice [Surname]*] in action [*file number*] pronounced for the force and validity of the will a true copy of the sealed order being annexed and marked “A”.

4 I believe the testamentary document now produced to and marked by me to contain the will of the deceased.

5 I am [*relationship to deceased*] of the deceased and the executor as described in the will.

6 I will:

(a) collect, get in, and administer according to law the estate of the deceased; and

(b) if required to do so by the Court, produce to the Court a full statement and account of my administration of the estate.

7 The deceased died possessed of assets in the State of South Australia.

[*Sworn/Affirmed*] by the abovenamed deponent at [*place and postcode*] on [*date*].

……………………………………..

[*signature of* *deponent(s)*]

before me ……………………………………..

[*signature of authorised witness*]

[*print name of witness*]

[*print title of authorised witness*]

[*ID number of witness*]

**Notes**

1 The oath must clear off other persons having a prior entitlement to the grant – see rule 356.2(4) and rule 356.3 of Chapter 25 of the *Uniform Civil Rules 2020*.

2 The oath must include a deposition reciting any grant of letters of administration pendente lite that issued during the course of the substantive proceedings.

3 Where an application for a grant of letters of administration is made following a judgment in a probate action pronouncing against the force and validity of a document purporting to be the last will of the deceased, the details of the order must be recited in the oath and a true copy of the order must be annexed to the oath.