

## EXECUTOR'S OATH FOR DOUBLE PROBATE

SUPREME COURT OF SOUTH AUSTRALIA  
TESTAMENTARY CAUSES JURISDICTION

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

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

- 1 I believe the testamentary document now produced to and marked by me *[to contain the last will and testament / to be a true copy of the last will and testament as contained in [a court sealed copy of the Record of the Court / an exemplification] [and codicil / or as the case may be]* ("the will") of *[name of deceased]* late of *[address and postcode]* deceased ("the deceased") the same being published on the Electronic System in action *[PROB number]*, the deceased having died at *[suburb]* *[postcode]* on *[date]* aged *[number]* years.
- 2 Probate of the will was granted by the Court on *[date]* to *[name and address of executor or executors]* *[relationship to the deceased]* of the deceased *[an executor / executors]* as described in the will leave then having been reserved for me to apply for probate.
- 3 I am a *[relationship to the deceased]* of the deceased and an executor as described in the will.
- 4 I will:
  - (a) collect, get in and administer according to law the estate of the deceased;
  - (b) if required to do so by the Court, produce to the Court a full statement and account of my administration of the estate;
  - (c) if required to do so by the Court, deliver up to the Court any prior grant that may have been issued in this estate.
- 5 The deceased died possessed of assets in the State of South Australia remaining unadministered as disclosed on the Electronic System.

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

.....  
*[signature of deponent]*

before me

.....  
*[signature of authorised witness]*  
*[print name of witness]*  
*[print title of authorised witness]*  
*[ID number of witness]*

## Form PROB31

### Notes

- 1 The oath must clear off other persons having a prior entitlement to the grant – see rule 356.2(4) of Chapter 25 of the *Uniform Civil Rules 2020*.
- 2 The applicant for the grant must disclose on the Electronic System all the unadministered assets and liabilities of the estate existing at the date of death of the deceased known to the applicant at the time of making the application.
- 3 A Court sealed copy of the Record of the Court or an exemplification is required to make the deposition “to be a true copy of...”.