

## AFFIDAVIT OF ASSETS AND LIABILITIES

SUPREME COURT OF SOUTH AUSTRALIA  
TESTAMENTARY CAUSES JURISDICTION

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

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

- 1 [I am / We are] the applicant[s] for a grant of representation in the estate of [name of deceased] late of [address and postcode] deceased.
- 2 To the best of [my / our] knowledge information and belief the statement annexed and marked "A" is a true and accurate statement of the assets and liabilities of the deceased wherever situated known to me [us] at the time of making this application.

[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]

### Notes

#### 1 General

- (a) If an application does not disclose an estate asset held by the deceased within South Australia, then the application will be rejected.
- (b) Jointly held assets are not to be included on the Statement of Assets and Liabilities ("the Statement").
- (c) The asset description must provide sufficient detail to allow the asset holder to release the asset. The asset description and value disclosed on the Statement is duplicated in the Registrar's Certificate.
- (d) Property held on trust by the deceased as trustee may be included in the Statement under the heading "Property held in trust by the deceased" but the value of such property must not be included in the value of the estate assets.
- (e) Accretions to the estate arising out of an asset existing at the date of death should not be disclosed - refer to section 71(9)(b) of the *Succession Act 2023* (SA).
- (f) Funeral expenses should not be included on the Statement as a liability – such expenses are not a liability of the deceased.

#### 2 Assets

- (a) Assets of the deceased must be shown under the appropriate heading – "Assets within South Australia" or "Assets outside South Australia".

- (b) If the deceased was not domiciled in Australia at date of death then disclosure is only required for assets and liabilities in Australia – refer to ss 71(5) and 71(6) of the *Succession Act 2023* (SA).
- (c) Disclosed assets should be listed and identified in the Statement under the headings below.

**Delete any asset heading that is not applicable to your application.**

### **3 Asset Headings**

- (a) Real Estate
  - (i) Owned solely by deceased  
(Address, volume and folio number and Valuer General's valuation or a licensed property valuer (including their name and qualification) as at date of death)
  - (ii) Owned as a tenant in common  
(Tenants-in-Common, address, volume and folio number, Valuer General's valuation or a licensed property valuer (including their name and qualification) for the whole of the estate as at date of death, percentage of deceased's share and value of deceased's share)
- (b) Personal Estate
  - (i) Retirement village/care accommodation  
(Name of provider, location of accommodation and amount due at date of death)
  - (ii) Furniture household and personal effects  
(Address where items located and known or estimated total value of the above)
  - (iii) Motor vehicles and boats  
(Make, registration no., value as at date of death)
  - (iv) Cash in hand  
(Amount as at date of death)
  - (v) Bank or similar accounts  
(Name and location of bank, BSB, account no., and balance as at date of death)
  - (vi) Shares or similar investments  
(Name of company, number and class of shares, value as at date of death. Value of publicly listed share holdings to be provided by ASX (or similar publisher of share values). Value of unlisted and private company share holdings to be provided by an accountant (name, company name and date of valuation to be provided)  
  
If the private company share holdings is a corporate trustee only and not a company which trades in its own right, please include wording to the effect of "as a corporate trustee for [name of trust] trust".)
  - (vii) Interest in deceased estate  
(Name and date of death of deceased person, name of trustee(s), nature of interest – the nature of the interest should be described as 'a/one of specific or pecuniary or residuary legatee and/or devisee and/or in remainder' (as the case may be) and the value as provided by the trustee)
  - (viii) Superannuation (if payable to the estate)  
(Name of fund, type of fund, unique identifier and balance as at date of death as provided by the trustee of the fund)
  - (ix) If there is another asset type refer to Practice Note 3 of 2024  
(Description of asset, unique identifier if applicable and value as at date of death)

e.g. Monies due under contract for sale

(Type of contract, date of contract, date of settlement, name of purchaser, description of property, volume and folio numbers and purchase price)

**Note:** A copy of the contract for the sale should be provided together with the notification on whether any special conditions to the contract have all been satisfied or otherwise.

**4 Liabilities**

The amount of each liability must be stated (with a brief description) or, if the amount is not known, an estimate of the amount must be stated.

**5 Balance of the estate**

State the balance at the end of the Statement as follows:

Summary of Assets and Liabilities

Assets .....	\$	_____
Liabilities .....	\$	_____
Net Estate disclosed .....	\$	_____

**5 Example**

The following is an example of the form in which the statement is to be prepared.

"A"

STATEMENT OF ASSETS AND LIABILITIES  
of the estate of [full name of deceased] late of [address and postcode] deceased

	Estimated or known value (see Notes above and Practice Note3 of 2024)
<i>Assets within South Australia</i>	\$
1. Real estate Address – 1 Gouger Street Adelaide SA 5000 Volume no. 1234 and folio no. 456 Valuer General's value	\$520,000.00
2. Furniture and household effects Situated at 1 Gouger Street Adelaide SA 5000 Applicant's estimated value as at date of death	\$100.00
3. Motor Vehicle Vehicle Make – 2017 White Holden sedan Registration number – CEU 258 Applicant's estimated value as at date of death	\$12,000.00
4. Bank or similar account Name of Bank and Branch – BankSA Ltd at West Lakes BSB – 101 258 Account Number – 478 529 634 Balance as at date of death	\$17,458.20
<i>Assets outside South Australia</i>	
1. Shares Details of investment – Telstra Group Limited Shares Number of shares – 100 Per share price (\$) – \$14.50 Value as at date of death per ASX	\$1,450.00
Total value of assets	<u>\$551,008.20</u>
<i>Liabilities</i>	
1. Mortgage Memorandum of Mortgage No. 5879654 Registered over – 1 Gouger Street Adelaide SA 5000 Volume no. 1234 and folio no. 456 Mortgagee name – BankSA Balance due	<u>\$245,000.00</u>
Total value of liabilities	\$245,000.00
<i>Summary of Assets and Liabilities</i>	
Assets	\$551,008.20
Liabilities	\$245,000.00
Net Estate disclosed	<u>\$306,008.20</u>