

**IN THE SUPREME COURT OF VICTORIA  
IN ITS PROBATE JURISDICTION**

20 No.

In the matter of the Will/Estate of *[name]* Deceased  
Application by *[name]* Plaintiff(s)

**AFFIDAVIT OF DUE EXECUTION**

Date of document:

Filed on behalf of the plaintiff.

Prepared by: *[name and  
address of lodging party]*

Ref:

DX:

CODE: *[solicitor code]*

E-mail: *[e-mail address]*

Tel: *[number]*

I, *[name]* of *[address]* Victoria *[occupation]* make oath and say that:

1. I am one of the subscribing witnesses to the last will of *[name]* deceased, the said will bearing the date *[date]* and being shown to me at the time of swearing this my affidavit, and marked with the letter "A".
2. That the Testator executed the said will on the said date by signing their name at the foot of the said will as it now appears therein in the presence of me and of *[name]* the other subscribing witness thereto, both of us being present at the same time, and we thereupon attested and subscribed the said will in the presence of the said Testator.

Sworn by  
the deponent

at *[place]*  
on *[date]*

Before me:

Witness Full Name

Address

Qualification

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**AFFIDAVIT OF DUE EXECUTION**

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**Care must be taken to exhibit the original will to the affidavit of due execution.**

The affidavit will be required in the following cases:

- a) *where the will was executed by a testator affixing their mark to the will;*
- b) *where the will contains no attestation clause or the attestation clause is insufficient to afford evidence of due execution;*
- c) *where the will bears no date of execution or there is doubt as to the date of execution;*
- d) *where the will was or appears to have been executed by a blind or illiterate person or by another person at the direction of the testator;*
- e) *in any other case in which it is required by the Registrar.*