

## AFFIDAVIT THAT DECEASED WAS NOT IN A DEFACTO RELATIONSHIP

### COURT DETAILS

Court	Supreme Court of New South Wales
Division	Equity
List	Probate
Registry	Sydney
Case number	

### TITLE OF PROCEEDINGS

The estate of **[name of deceased]**  
Late of:

### FILING DETAILS

Filed for	<b>[name/s]</b> plaintiff[s]
#Legal representative	[solicitor on record] [firm]
#Legal representative reference	[reference number]
Contact name and telephone	[name] [telephone]
Contact email	[email address]

**AFFIDAVIT**

Name

Address

Occupation

Date

I [#say on oath #affirm]:

#1. I am the widow (*or widower*) of the deceased.2. I lived with the deceased up to the time of his (*or her*) death and for a continuous period of ..... years beforehand. (*or #insert qualifications of deponent to swear this affidavit*)3. The deceased did not leave any person who at the time of his death was his (*or her*) de facto partner, for whom the estate or any part of it is required to be held under a statutory trust for the partner.4. I am aware of the provisions of section 21C of the *Interpretation Act 1987*.

#SWORN #AFFIRMED at

Signature of deponent

Name of witness

Address of witness

Capacity of witness           [#Justice of the peace #Solicitor #Barrister #Commissioner  
for affidavits #Notary public]And as a witness, I certify the following matters concerning the person who made this affidavit (the **deponent**):

1.       #I saw the face of the deponent. [OR, delete whichever option is inapplicable]  
  
          #I did not see the face of the deponent because the deponent was wearing a face covering, but I am satisfied that the deponent had a special justification for not removing the covering.<sup>1</sup>
2.       #I have known the deponent for at least 12 months. [OR, delete whichever option is inapplicable]  
  
          #I have confirmed the deponent's identity using the following identification document:

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Identification document relied on (may be original or certified copy)<sup>2</sup>

Signature of witness

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<sup>1</sup> [The only "special justification" for not removing a face covering is a legitimate medical reason (at April 2012).]

<sup>2</sup> ["Identification documents" include current driver licence, proof of age card, Medicare card, credit card, Centrelink pension card, Veterans Affairs entitlement card, student identity card, citizenship certificate, birth certificate, passport or see [Oaths Regulation 2011](#) or refer to the guidelines in the NSW Department of Attorney General and Justice's "[Justices of the Peace Handbook](#)" section 2.3 "Witnessing an affidavit" at the following address: <http://www.jp.nsw.gov.au/Documents/jp%20handbook%202014.pdf>.]