## **ANNXURE "A"**

## **PROBATE LIST**

## **DISCLOSURE STATEMENT**

(Version 1 – 24 December 2019)

**NOTE:** Unless the Court otherwise orders, this Statement is to be completed (to the best of the knowledge, information and belief of the party) by each party to proceedings in which an application for a grant of probate or administration (or for revocation of a grant, coupled with a fresh grant) is contested.

1	Case Name: Case Number:	
2	Full name of deceased:	
3	Date of death of deceased:	
4	Age of deceased at death:	
5	Is the deceased alleged to have died intestate?:	
6	Who would be entitled to the deceased's estate under Chapter 4 of the Succession Act 2006 NSW if the deceased died intestate?:	

7	Identify each known testamentary instrument of the deceased (by date or other description):		
	(a)	Wills:	
	(b)	Codicils:	
	(c)	"informal wills"( <i>Succession</i> <i>Act</i> 2006 NSW, section 8):	
	(d)	statutory wills (Succession Act 2006 NSW, section 18):	
8	In summary terms, state the effect of each testamentary instrument, including the name of each executor and the name of each beneficiary (identifying those who are minors or a person under a legal disability).		

9	So far as known, identify the whereabouts of each original testamentary instrument of the deceased thus identified:	
10	Identify each testamentary instrument of the deceased propounded in these proceedings (and the party propounding same):	
11	Has there been publication of notice of intention to apply for a grant of probate or administration (and, if so, by whom and when)?:	
12	Is there a dispute as to the validity of any testamentary instrument propounded?:	

13	instru challe speci which challe whos	in respect of each ament the subject of a enge to its validity, fy the grounds upon a validity is enged by the party e disclosure ment this is:	
	(a)	a want of due execution:	
	(b)	a lack of testamentary capacity:	
	(c)	a lack of knowledge and approval:	
	(d)	probate undue influence (coercion):	
	(e)	fraud:	
	(f)	the instrument was revoked by the deceased (as and when here described):	
	(g)	other (specify):	

14	4 Describe the size and nature of the deceased's estate:		
	(a)	estimated gross value of estate:	
		value of estate.	
	(b)	estimated net value	
		of estate:	
	(c)	principal asset(s) of	
		estate:	
	to the deceased of each		
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16 Identify known relationships of the deceased:  (a) number of marriages of the deceased (and divorces, if any):  (b) spouse/de facto spouse of the deceased who survived the deceased:  (c) children of the deceased:  (c) children of the deceased (of each marriage), including children who predeceased the deceased leaving children:  (d) siblings of the deceased who survived the deceased:  (e) parents of the deceased who survived the deceased who survived the deceased:					
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18	If so:			
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	(a)	iden	itify each grant:	
	(b)		ere an	
			lication for ocation of any	
		grar		
	(c)	if the	ere is an	
	(0)	арр	lication for	
			ocation, specify grounds upon	
	which a revocation			
	is sought:		ougnt:	
		(i)	a later testamentary instrument:	
			mod dimond.	
		(ii)	alleged	
		(,	invalidity of the	
			instrument the subject of	
			grant:	
		(iii)	alleged mal- administration	
			of executor/	
			administrator:	

19	As to claims for family provision relief under Chapter 3 of the Succession Act 2006 NSW:		
	(a)	Have any proceedings been instituted claiming family provision relief?	
	(b)	If so, identify each proceeding in which a claim has been made:	
	(c)	Identify any anticipated claims for family provision relief not yet the subject of proceedings:	
20	Has a special administrator of the estate of the deceased been appointed?:		
21	If so, identify the administrator, the date of the administrator's appointment, and the proceedings in which the administrator was appointed:		

22	has b applic appoi admir	special administrator een appointed, is an cation for the ntment of a special nistrator anticipated if so, upon what ids)?:	
23	"prote "perse guard mean the N	the deceased a ected person" or a con under lianship" (within the ing of section 38 of SW Trustee and dian Act 2009 NSW):  at the time of death?:  if not, at any time within the last five years of life?:  at the time any testamentary instrument was executed (and, if so, which)?	
24	If so, so far as known provide details of proceedings in which a financial management order or guardianship order was made affecting the deceased:		

25		e deceased known to executed: an Enduring Power of Attorney?	
	(b)	an Enduring Guardianship Appointment?	
26	If so, provide details of each known Power of Attorney/Enduring Guardianship instrument:		
27	each	r as known, identify treating doctor of the ased:	
28	Was the deceased resident at a nursing home at the time of death, within the last year of life, or within 12 months of execution of a testamentary instrument (and, if so, where)?:		

29	So far as known, identify each hospital at which the deceased was a patient during the last year of life or within 12 months of execution of a testamentary instrument:	
30	Were any of the known testamentary instruments of the deceased prepared by a solicitor (and, if so, by whom)?:	
31	So far as may be known, identify each person who may have an interest in the outcome of any application for a grant of probate or administration:	

	32	Identify any caveat known to have been filed in respect of the estate of the deceased:	
	33	Are there any (and, if so, what) other facts or circumstances bearing upon the Court's determination of these proceedings that are the subject of a disclosure?:	
Date:			
Certifi	ed as	correct by (party/counsel/solid	citor):
		Name:	
		Signature:	

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