

A Simple Guide to Witnessing Probate Documents

- Carefully read any attached instructions before commencing
- Ask the Executor/s if they require any additional copies/Certified Copies of the Original Documents
- Check the Executor/s have all the documents:
 - The Original Will and any Codicils
 - A photocopy of the Will and any Codicils
 - The Original Death Certificate
 - A photocopy of the Death Certificate
 - An inventory of the Deceased's Assets (Form 117)
 - Affidavit/s for identifying the Executor/s

The Original Will

The Original Will is not part of the affidavit/s and must be submitted independently along with a countersigned copy (**NOT Certified.**)

The Original Will **will not** be returned.

The Original Will and any Codicil must be countersigned in the (L) hand margin (sideways) on **every** page including the cover page. The JP to the (L), and the Executor/s to the (R) preferably in BLUE pen.

N.B. Do NOT stamp or write your name or JP number on the original will or codicils- signatures ONLY.

Photocopy the Will after countersigning OR countersign the copy along with the Original Will.

Annexures to be attached to the Affidavit/s.

- Annexure "A" – The Certified copy of the Death Certificate OR the Original Death certificate. The Certification to be done by the same JP processing the Probate Application.
N.B. A Certified Copy of the Death Certificate will be accepted if the person died in Australia. If the person died overseas the Original Death Certificate must be submitted.
- Annexure "B" – Inventory of Assets of the Deceased – Form 117
NB This Annexure has the unusual requirement that it must be signed by the Executor/s and witnessed by the J.P. (same J.P. as the Affidavit)

There may be other Annexures mentioned in the Affidavit.

All Annexures to be stamped with affidavit annexure stamp or the written words proscribed for Affidavit annexures and signed by the J.P.

The Executor/s do not sign any other annexures.

N.B. There may be other documents or Annexures depending on individual circumstances.

Process the Affidavit/s according to NSW Justice of The Peace Handbook.