

PROBATE NOT APPLIED FOR (SMALL ESTATES) DECLARATION, DIRECTION AND INDEMNITY

I, We _____

of _____ in the State of _____

_____ do solemnly and sincerely declare as follows:

1. _____ is one and the same person as the account holder of the following account(s) held by National Australia Bank Limited:

Type of Account

Account Number

2. A certified copy of the last will and testament dated ___/___/___ is attached and marked 'A'. I am/we are named as the executor(s) in that will.
3. The beneficiaries are the only beneficiaries of the estate of the deceased as specified in the will.
4. A due search and enquiry has been made by myself/ourselves and the beneficiaries, and I/we and the beneficiaries have satisfied ourselves that the will is the last will and testament of the deceased.
5. It is not my/our intention to apply for probate of the deceased's will, nor to the best of my/our knowledge, information or belief is it the intention of any person to apply for probate of the deceased's will.
6. The executor has
- (i) no notice of any claim against the Estate including any claim under the Family Provision Act; and
 - (ii) that the funds on deposit with National Australia Bank Limited are the sole assets of the Estate
7. Under the terms of the will, the beneficiaries are entitled to the monies held in the bank account(s) specified in this statutory declaration and I/we direct that such monies be paid out in the following manner:
- _____
- _____
8. I/We hereby indemnify National Australia Bank Limited against all proceedings, claims, actions, demands, costs and expenses which may arise from the payment of money to the beneficiaries without production of probate and certify the identity of the beneficiaries contained in the indemnity(ies) attached and marked _____

And I/We make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act of 1900-1953"

Subscribed and declared at _____

This _____ day of

Two thousand and _____

(Signature of Executor)

Before me _____

(Signature of JP as witness)