

# AFFIDAVIT FOR COLLECTOR OF STAMPS

N.B. - Where deduction of debts is not taken, only the first 2 paragraphs need be used.

## In the High Court of Brunei Darussalam

(1) Insert here the name of the District.

BRUNEI DARUSSALAM <sup>(1)</sup> .....

(2) Insert here "I" or "We" and the name, address and description of each person who joins in the Affidavit or Affirmation.

In the Estate of ..... deceased

<sup>(2)</sup> .....

.....

.....

.....

.....

.....

.....

.....

(3) Insert here "make oath" or "Solemnly affirm" as the case may be.

<sup>(3)</sup> ..... and say as follows :-

(4) Insert here "I" or "We" as the case may be.

1. <sup>(4)</sup> ..... desire to obtain in grant of <sup>(5)</sup> .....

.....

(5) Insert here "Probate of the Will" or "Administration with the Will annexed of the estate" or "Administration of the estate" as the case may be.

of .....

late of <sup>(6)</sup> .....

deceased who died at .....

on the ..... day of ..... two thousand .....

domiciled in .....

(6) Insert here the address and occupation of deceased and his or her personal description as "Bachelor", "Spinster", "Widower" or "Widow".

(7) If the deceased was domiciled in the State the account must include all immovable property situate in the state and all movable property wherever situate.

2. The account, hereto annexed, is a true and full account of the particulars and value as at the date of deceased's death so far as <sup>(4)</sup> ..... have been able to ascertain the same of all the movable immovable property of the deceased upon which estate duty is payable in the state, <sup>(7)</sup> exclusive of what the deceased may have been possessed of or entitled to as a trustee and not beneficially. The gross value thereof as at the date of the deceased's death was altogether \$ .....

If the deceased was not domiciled in the State the account will only include immovable and movable property situate in the state.

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(8) Insert here "his" or "her" as the case may be.

3. The first part of the schedule hereto annexed contains a true and particular list of the debts due and owing from the deceased at the time of <sup>(8)</sup> ..... death to persons resident within the State, or due to persons resident out of the State, but contracted to be paid in the State or charged on property situate within the State, with the names and addresses of the several persons to whom the same are respectively due, and the descriptions and amounts of such debts. The second part of schedule contains a true account of the funeral expenses of the deceased.

(9) Money contracted to be paid on the death of the deceased in consideration of marriage is not voluntary debt and may be deducted.

4. The said debts are payable by law out of the property comprised in the account hereto annexed. They were incurred by the deceased **bona fide** for full consideration in money or money's worth wholly for the deceased's own use and benefit. <sup>(9)</sup> They are not nor are any of them debts in respect whereof there is a right to reimbursement from any other estate or person. <sup>(10)</sup>.

A debt for payment of which the deceased was surety only must not be deducted.

(10) If there is a right to reimbursement, but reimbursement cannot be obtained, adapt this paragraph.

5. The aggregate amount of the debts and funeral expenses is \$ ..... which being deducted, from the value of the property as specified in the account hereto annexed, reduces such value to the sum of \$ .....

All which is true to the best of ..... knowledge and belief.

(11) Insert here "sworn" or "affirmed" as the case may be and the name of Deponent.

<sup>(11)</sup> ..... by the abovenamed .....  
.....  
.....  
at .....  
on the ..... day of ....., 20 .....  
before me.

<sup>(11)</sup> ..... by the abovenamed .....  
.....  
.....  
at .....  
on the ..... day of ....., 20 .....  
before me.

# ACCOUNT

## ESTATE IN RESPECT OF WHICH THE GRANT IS TO BE MADE

Where there is not sufficient space to insert all the particular of the different items, a separate schedule should be annexed and referred to as a statement.

			Market Price of Stock at Date of Death	Gross Value	
	\$	cts		\$	cts
Security, Stocks, Funds or Bonds of British Dependencies or of Foreign Countries					
Proprietary Shares or Debentures of Public Companies <sup>(12)</sup>					
Dividends declared on the above shares, but not received by the deceased (if not included in market price of shares at date of death) as per statement annexed.					
Interest on the above debentures accrued to date of death, but not received by the deceased (if not included in market price of debentures at date of death) as per statement annexed.					
Immovable Property as per detailed description subjoined or annexed - <sup>(13)</sup> If unsold, estimated at If sold, realized gross Less a Mortgage Debt of ..... due from the deceased and created by and an Indenture dated the ..... day of ..... for which the said Property is the sole security.  Rents of the deceased's Immovable Property due prior to the death, but not received by the deceased, estimated at <sup>(14)</sup>  Appointment of the Rents of the deceased's Immovable Property date of death estimated at <sup>(14)</sup>					
<i>Carried forward</i>					

(12) Property which consists of shares in any Company is locally situate where the Company has its Head Office or keeps its register. Published Quotations or Broker's Certificates, or Letters from the Secretaries of the Companies, showing medium selling price at the date of death, should be attached.

(13) Give particular description, terms unexpired at the date of death, gross rents where let, or, if not, the Sanitary Board Assessment, also the ground rent together with the nature and amount of the yearly outgoings paid by the deceased.

(14) The words "estimated at" to be cancelled where the amount is actually ascertained.



		Gross Value	
		\$	cts
<p>(15) All interests in expectancy, whether vested or contingent, should be included.</p> <p>(16) Set out the parties to the deed.</p>	<p>The deceased's Interest expectant <sup>(15)</sup> upon the death of ..... now aged ..... years, under the Will of ..... proved ..... or under the statement dated the ..... day of ..... and made between <sup>(16)</sup> ..... in the Property set out in the statement annexed and of which Property the present Trustees are –</p> <p>Other Property not comprised under the foregoing heads, viz. :-</p>		
<p>(17) This statement to be cancelled if unnecessary. It may be used for cases where Grant is applied for the purpose of taking proceedings in Court.</p>	<p>The deceased is believed to have been possessed of other Property the precise details of which cannot at present be ascertained, but in respect of which a corrective affidavit will be delivered duly stamped as soon as the particulars and value thereof been discovered. <sup>(17)</sup></p> <p>To be signed by the person or persons } making oath or affirmation }</p>		

# SCHEDULE

**FIRST PART. – AN ACCOUNT OF THE DEBTS DUE, AND OWING FROM, THE DECEASED TO PERSONS RESIDENT IN THE STATE, OR DUE TO PERSONS RESIDENT OUT OF THE STATE, BUT CONTRACTED TO BE PAID IN THE STATE, OR CHARGED ON PROPERTY SITUATE WITHIN THE STATE**

As to the character of the debts which may be deducted, vide marginal note 9 on front page

Name, Description and Address of Creditor	Description of Debt (This should include the date and short particulars of any Security of the Debt)	Amount	
		\$	cts

**SECOND PART. – AN ACCOUNT OF THE FUNERAL EXPENSES OF THE DECEASED**

To be signed by the person or persons } making oath or affirmation	<b>Total of First and Second Parts .... \$</b>		