

120A. Filing of schedules of assets for estates where death occurs on or after 15 February 2008

- (1) In relation to deaths occurring on or after 15 February 2008, two copies of Schedule of Assets listing the property comprising the estate of the deceased must be filed. One copy is to be filed under the cover of an affidavit which includes the following averment:

“The contents of the Schedule of Assets exhibited herein as [insert exhibit number] are true and accurate in every particular to the best of my knowledge and belief. The deponent does not know or have any reason to believe that any of the contents of the Schedule of Assets is false.”

- (2) A separate copy of the Schedule of Assets (without an affidavit) is to be filed with the Court. A specimen Schedule of Assets can be found in Form 41A of Appendix B of these Practice Directions.
- (3) The copy of the Schedule of Assets which is required to be filed under the cover of an affidavit may be filed under the cover of the supporting affidavit under Order 71, rule 5, of the Rules of Court. If so included, the supporting affidavit under Order 71, rule 5 shall include the averment referred to in sub-paragraph (1).
- (4) If an applicant is unable to file the Schedule of Assets at the time of the filing of the originating summons or at the time of the filing of supporting affidavit under Order 71, rule 5, the applicant may file the copy of the Schedule of Assets which is required to be filed under the cover of an affidavit under the cover of a supplementary affidavit.
- (5) Where an applicant seeks to amend the Schedule of Assets filed under the cover of an affidavit, a supplementary affidavit exhibiting the amended Schedule of Assets is to be filed with the Court. The applicant must also file a separate copy of the amended Schedule of Assets to be annexed to the grant. The supplementary affidavit shall provide reasons to explain why an amendment is necessary, and shall also include the averment referred to in sub-paragraph (1).

- (6) Where the amendments to the Schedule of Assets are sought following the grant, the applicant must obtain leave of Court to amend the Schedule of Assets.
- (7) No Court fees will be charged for the Schedule of Assets and the affidavits filed pursuant to sub-paragraphs (1) to (5).