



(1) Given name or names and surname of declarant in full (1) _____

(2) Address of (2) _____

(3) Occupation In the State of Western Australia (3) _____

sincerely declare that I have been appointed the:

Executor Probate Ref number _____

* please see over for information

Administrator Administration Ref number _____

of the estate of _____
(NAME OF DECEASED)

and request that the vehicle licence, details of which are listed below, be transferred

to: _____
(GIVEN NAMES IN FULL) (SURNAME)

of: _____
(NUMBER AND STREET)

_____ (TOWN OR SUBURB) _____ (POSTCODE) _____ (WA DRIVER'S LICENCE NUMBER)

Details of Vehicle

| | | |
|-----------------|----------------------------------|----------------------|
| MAKE | BODY TYPE (eg: sedan, caravan) | VEHICLE PLATE NUMBER |
| DUTIABLE VALUE* | PURCHASE PRICE (NON BENEFICIARY) | _____ |

I further declare that the said _____
(TRANSFeree)

Is

A beneficiary under the terms of the Will (or under the *Administration Act 1903*, where the owner has died intestate. See 'Intestacy' overleaf).

Is not:

* NOTE: If transferee is not a beneficiary under the terms of the Will or estate, vehicle licence duty is payable on the dutiable value of the vehicle. Please see overleaf for more information.

I make this solemn declaration by virtue of the *Oaths, Affidavits and Statutory Declarations Act 2005*.

Declared at.....

This.....day of.....year.....

Signature of Declarant.....

Declared before me:

| | |
|---------------|------------|
| SURNAME | OTHER NAME |
| QUALIFICATION | SIGNATURE |

Please see overleaf for information on who can witness a Statutory Declaration.

You may be required to apply to the Supreme Court to obtain a grant of Probate or Letters of Administration. When granted, the applicable reference number must be provided prior to the transfer of a vehicle licence.

Where necessary you should seek legal advice about your individual situation.

Probate

Probate is the process of proving and registering in the Supreme Court the last Will of a deceased. To obtain a grant of Probate, the executor named in the Will must make application to the Probate Office of the Supreme Court. If the application is approved, the executor is given a grant of Probate, which authorises the executor to administer the estate of the deceased according to the terms of the Will.

Letters of Administration

If a deceased person does not have a Will (dies intestate), validation of their estate and benefactors is not done with a grant of Probate, but with a similar document known as 'Letters of Administration'. In these circumstances, the Probate Registry refers to the *Administration Act 1903* to assess applications. 'Letters of Administration' are also applied for at the Supreme Court.

Intestacy

"Intestacy" is where a person dies:

- without leaving a Will; or
- leaving a Will which, for some reason, does not deal with all their property (estate).

The *Administration Act 1903* contains the legislative provisions for Probate, administration and the duties on the estates of deceased persons in the above circumstances. Unless the transferee is a beneficiary under the terms of this Act or a Will, vehicle licence duty is payable on the current dutiable value of the vehicle.

Dutiable Value

The term "dutiable value" is defined by division 5 of the *Duties Act 2008*. The following interpretation is provided as a guide only.

Used Vehicle:

In relation to used vehicles - the amount for which the vehicle might reasonably be sold, free of encumbrance, in the open market.

NOTE: Vehicles which are transferred for no monetary gain need to have an amount provided for which the vehicle might reasonably be sold, free of encumbrances in the open market ie. its dutiable value.

WARNING: An applicant who understates the purchase price or current dutiable value of a vehicle or who provides information which is false in a material particular (important details) commits an offence under the *Duties Act 2008* and is liable to a penalty of \$20,000.

This declaration must be made before any of the following persons:

- Academic (post-secondary institution)
- Accountant
- Architect
- Australian Consular Officer
- Australian Diplomatic Officer
- Bailiff
- Bank Manager
- Chartered Secretary
- Chemist
- Chiropractor
- Company Auditor or Liquidator
- Court Officer (Judge, Magistrate, Registrar or Clerk)
- Defence Force officer (Commissioned, Warrant or NCO with 5 years continuous service)
- Dentist
- Doctor
- Engineer
- Industrial Organisation Secretary
- Insurance Broker
- Justice of the Peace
- Lawyer
- Local Government CEO or Deputy CEO
- Local Government Councillor
- Loss Adjuster
- Marriage Celebrant
- Member of Parliament (State or Commonwealth)
- Minister of Religion
- Nurse
- Optometrist
- Patent Attorney
- Physiotherapist
- Podiatrist
- Police Officer
- Post Officer Manager
- Psychologist
- Public Notary
- Public Servant (State or Commonwealth)
- Real Estate Agent
- Settlement Agent
- Sheriff or Deputy Sheriff
- Surveyor
- Teacher
- Tribunal Officer
- Veterinary Surgeon

Or,

Any person before whom, under the *Statutory Declarations Act 1959* of the Commonwealth, a statutory declaration may be made.