**Affidavit of Search for a Will**

**In the High Court of Justice of the Isle of Man**

**Testamentary Business**

**In the estate of** *(name of deceased)* ……………………………………………………………………………….. Deceased

of *(address of deceased)* …………………………………………………………………………………………………………………..

having died on the ………… day of ………………………………….. and having made and duly executed their

last Will and Testament dated the ………… day of ……………………………………

**Now I** *(name of deponent)* ………………………………………………………………………………………………………………

of *(address of deponent)* …………………………………………………………………………………………………………………..

make oath and say:

I am the appropriate person with sufficient knowledge of the deceased’s affairs and of their last Will

and Testament, a copy of the said Will dated as above, now produced to me and marked …..

Following execution of the Will the same was [deposited with (here, set out the place of deposit, e.g. the

deceased’s bank, his advocates) ………………………………………………………………………………………………………....

………………………………………………………………………………………………………………………………………………..]

or [handed to the deceased and kept in the following place……………………………………………………………

……………………………………………………………………………………………………………………………………………….].

Following the death of the deceased the original of the said Will [cannot be found] or [that the said

Will was in the possession of ……………………………………………………………………………………………………]

at the date of death of the deceased but now cannot be found.

*(Here, set out the circumstances of the case and, where the Will was or had been in the deceased’s possession, and where the Will was after the death of the deceased, thereby rebutting the presumption that the Will was revoked/destroyed during the deceased’s lifetime and any other facts relevant to proof of the copy will).*

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*(Where application is to admit a reconstruction)* Following the execution of the said Will neither the original nor

any copy can be found. The reconstruction exhibited hereto marked ….. contains the content of the

original Will because *(here, set out the evidence to support the content of the reconstruction)* ………………………………

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I have made all possible searches and enquiries for any other Will including a thorough search of the

home of the deceased and of all places where it is likely they kept important papers or valuables. I

have been unable to discover any other Will, Codicil or Testamentary paper whatever except the said

Will mentioned above. I know of no other person, such as a solicitor or bank manager, who might

have kept papers for the deceased *[except (give details of any such persons and show that enquiries have been made*

*of them)]* ……………………………………………………………………………………………………………………………………..

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…………………………………………………………………………………………………………………………………………………

I verily believe the deceased died without having left any Will, Codicil or Testamentary paper

whatever, other than the Will mentioned above.

I request the Court to make an order under and pursuant to Rule 40 of the Probate Rules 1988 to

admit the said copy Will to proof; the Grant to be limited until the original will or a more authentic

copy be proved.

*(If domicile of the deceased is outside the Isle of Man)* Probate has not been applied for or granted in the

deceased’s country of domicile for the following reason(s) …………………………………………………………….

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Sworn by the said *(signature of deponent)* ………………………………………………………………………………………….

At *(address where swearing took place)* …………………………………………………………………………………………………

On the …………… day of ………………………………… *(month)* …………… *(year)*

In the presence of:

*(name of Commissioner for Oaths)* ………………………………………………………………………………………………………

*(signature of Commissioner for Oaths)* ………………………………………………………………………………………………….