

**Schedule 1B: Declaration by Borrower/Grantor of a Security Interest (Trustee)**

\*Delete words that do not apply

I, \_\_\_\_\_ (declarant)

of \_\_\_\_\_

DO SOLEMNLY AND<sup>1</sup> SINCERELY DECLARE AS FOLLOWS:

1. I am
- the borrower
  - the grantor of a security interest
  - an officer of the borrower
  - an officer of the grantor of a security interest
  - a person involved in the management of the borrower
  - a person involved in the management of the grantor of a security interest
- named in certain loan and security documents in favour of \_\_\_\_\_

\_\_\_\_\_ (proposed lender)

relating to property (specify address or other description) \_\_\_\_\_

\_\_\_\_\_

being property vested in me/the borrower \*as duly appointed Trustee of the \_\_\_\_\_

\_\_\_\_\_ Trust

pursuant to a duly constituted and subsisting Deed of Trust dated \_\_\_\_\_

or \*as duly appointed Trustee of the Estate of \_\_\_\_\_

to whom a Grant of Probate /Letters of Administration\* was made on \_\_\_\_\_

2. I have received independent legal advice regarding the loan and security documents referred to in paragraph 1 which I declare that I am/the borrower / grantor of a security interest is legally entitled and authorised to execute as Trustee under such Trust/Grant of Probate/Letters of Administration\* and pursuant to the provisions of the *Trustee Act 1925* (NSW) / *Trustees Act 1962* (WA)\*.

3. After receiving that advice I have/the borrower/the grantor of a security interest has freely and voluntarily signed the following documents:  
(specify the documents produced for signature)

(a) \_\_\_\_\_

(b) \_\_\_\_\_

(c) \_\_\_\_\_

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<sup>1</sup> When the legal advice has been given by a solicitor holding a Western Australian practising certificate, delete the words *DO SOLEMNLY AND*

4.\* Name: \_\_\_\_\_ (interpreter)  
was present at the conference.

*Note: The interpreter must complete a certificate in the form of Schedule 3 before the conference concludes.*

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing the contents to be true and by virtue of the *Oaths Act 1900*.

MADE AND SUBSCRIBED by ) \_\_\_\_\_  
) \_\_\_\_\_  
the said Declarant at ) \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_ 20..

\_\_\_\_\_  
(Signatory)

Before me: \_\_\_\_\_  
A Justice of the Peace/Solicitor

I [*insert name of authorised witness*], a [*insert qualification to be authorised witness*], certify the following matters concerning the making of this statutory declaration by the person who made it:  
1 \*I saw the face of the person or \*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering.  
2 \*I have known the person for at least 12 months or \*I have confirmed the person's identity using an identification document and the document I relied on was [*describe identification document relied on*].

[*insert signature of authorised witness*]

Date: \_\_\_\_\_

**WHERE THE LEGAL ADVICE HAS BEEN GIVEN BY A SOLICITOR HOLDING A WESTERN AUSTRALIAN PRACTISING CERTIFICATE, DELETE THE SIGNING SECTION ABOVE AND USE THE SIGNING SECTION BELOW**

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005* at  
on \_\_\_\_\_ day of \_\_\_\_\_ :-

by: \_\_\_\_\_  
Name of person making the declaration Signature of person making the declaration

In the presence of:  
\_\_\_\_\_  
Signature of authorised witness

\_\_\_\_\_  
Name of authorised witness Qualification of authorised witness