

FORM 72B  
*Courts of Justice Act*  
AFFIDAVIT (MOTION FOR PAYMENT OUT OF COURT)  
*(General heading)*

AFFIDAVIT

I, (*full name of deponent*) of the (*City, Town, etc.*) of ..... , in the (*County, Regional Municipality, etc.*) of ..... , (*where the deponent is a party or the lawyer, officer, director, member or employee of a party, set out the deponent's capacity*), MAKE OATH AND SAY (*or AFFIRM*):

1. This affidavit is filed in support of a motion for payment out of court of money belonging to (*name of person under disability*), of (*address*), who is (*state the nature of the disability*) and who was born on (*date*).
2. I am (*state the deponent's connection with the person under disability*).
3. The Accountant (*or local registrar at (place)*) has informed me that the sum of \$, including interest accrued to (*date*), is in court. There has been previously paid out the sum of \$ . on (*date*) (*or as may be*).
4. It is proposed that the sum of \$ .... be paid out of court to (*name*) for the following purpose: (*Give particulars.*)
5. I believe that this expenditure is justified for the following reasons: (*Give particulars.*)

**Sworn or Affirmed before me:** (*select one*):  in person OR  by video conference

**Complete if affidavit is being sworn or affirmed in person:**

at the (*City, Town, etc.*) of ..... in the (*County, County, Regional Municipality, etc.*) of ..... , on (*date*).

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*Signature of Commissioner (or as may be)*

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*Signature of Deponent*

**Use one of the following if affidavit is being sworn or affirmed by video conference:**

**Complete if deponent and commissioner are in same city or town:**

by ..... (*deponent's name*) at the (*City, Town, etc.*) of ..... in the (*County, Regional Municipality, etc.*) of ..... , before me on ..... (*date*) in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely. ....

Commissioner for Taking Affidavits (*or as may be*)

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*Signature of Commissioner (or as may be)*

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*Signature of Deponent*

**Complete if deponent and commissioner are not in same city or town:**

by ..... (*deponent's name*) of (City, Town, etc.) of ..... in the (County, Regional Municipality, etc.) of ....., before me at the (City, Town, etc.) of ..... in the (County, Regional Municipality, etc.) of....., on ..... (*date*) in accordance with [O. Reg. 431/20](#), Administering Oath or Declaration Remotely. ....

Commissioner for Taking Affidavits (*or as may be*)

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*Signature of Commissioner (or as may be)*

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*Signature of Deponent*

RCP-E 72B (September 1, 2020)