

STATUTORY DECLARATION
COMMONWEALTH OF AUSTRALIA

I, _____
of _____ Occupation _____

do solemnly and sincerely declare that

(* if insufficient room above make an Annexure refer to it above and have it witnessed it and staple it to this form)

AND I make this solemn declaration by virtue of the *Statutory Declarations Act 1959* (*Commonwealth*) and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained herein to be true in every particular.

Declared at _____
Signature of Declarant

this _____ day of _____ 20____

Signature of Authorised Witness *

Full Name of Witness

Contact Number

Address

Authority of Witness (*ie JP, Commissioner etc*)
* see notes on rear as to who can witness

A person who willfully makes a false statement in a statutory declaration under the *Statutory Declarations Act 1959* as amended is guilty of an offence against that Act, the punishment for which is a fine not exceeding \$200 or imprisonment for a term not exceeding six months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

THE UNIVERSAL AUSTRALIAN - STATUTORY DECLARATION KIT

NOTES ON USE – AUSTRALIA WIDE

1 **What States can this Statutory Declaration be used in ?**

This Statutory Declaration can be used for any purpose in every State of Australia.

2 **False Declaration**

A person who willfully makes a false statement in a statutory declaration under the *Statutory Declarations Act 1959* as amended is guilty of an offence against that Act, the punishment for which is a fine not exceeding \$200 or imprisonment for a term not exceeding six months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

3 **What is a Statutory Declaration Used for?**

It is used as formal evidence of certain facts dealing with government departments and in some commercial dealings eg a declaration concerning loss of property under an insurance claim.

4 **Hints for Filling Out your Statutory Declaration**

Write clearly and legibly as your statement must be "readable". It can be typewritten or written out by a person other than the Declarant but it must be signed by the Declarant.

Write your statement in the "first person" - that is, use 'I'. For example, "*I have lost my*".

5 **In Writing your Own Statement**

Use plain English as much as possible and state the facts simply.

Sometimes a Statutory Declaration must be completed by more than one person.

Whilst it is quite possible (and legal) in certain States/Territories for a joint Statutory Declaration to be made and signed by two or more people, it is recommended that each person complete his/her own separate Statutory Declaration even though the statements of the facts by each person may be identical.

6 **Witnesses To Your Statutory Declaration**

See page 1 of the Kit

Your Statutory Declaration must be signed in the presence of a qualified witness. Qualified Witnesses must only be:

All States A Justice of the Peace in any State or Territory of Australia.

A person in any State before whom a statutory declaration may be made under the law of the State in which a declaration is made.

Chief Magistrate, Police Magistrate, Resident or Special Magistrate, Stipendiary Magistrate or any Magistrate in Australia.

Anyone under a State Act appointed to be a Commissioner for Declarations.

A Notary Public.

A person appointed to hold, or act in, the office in a country or place outside Australia of Australian Consul-General, Consul, Vice-Consul, Trade Commissioner, Consular Agent, Ambassador, High Commissioner, Minister, Head of Mission, Commissioner, Charge d'Affaires, or Counsellor, Secretary or Attache at an Embassy, High Commissioner's office, Legation or other post.

A person who is currently licensed or registered under a law to practice in one of the following occupations:

Chiropractor	Dentist	Legal practitioner
Medical practitioner	Nurse	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

A person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society officer with 5 or more years

of continuous service Chief executive officer

of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Employee of the Commonwealth who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years

of continuous service Holder of a statutory
office not specified in another item in this list

Judge of a court

Justice of the Peace

Magistrate

Marriage celebrant registered under Subdivision C of Division 1 of Part IV
of the *Marriage Act 1961* Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the

grade of student Member of the Association of

Taxation and Management Accountants

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- (c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- (a) the Parliament of the Commonwealth; or
- (b) the Parliament of a State; or
- (c) a Territory legislature; or
- (d) a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority; or
- (c) a local government authority;

with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- (a) the Commonwealth or a Commonwealth authority; or
- (b) a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution