# Statutory Declaration

## How to Complete a Statutory Declaration

You must complete and submit this Statutory Declaration as part of your pack. Make sure when you complete the Statutory Declaration that:

* you provide **all information** requested in the left hand margin, including your full name, address and occupation. If you are currently unemployed, please state unemployed.
* it is signed and witnessed at the same time and on the same day
* it is witnessed by an authorised witness (ensuring that the witness provides their authority to witness the Statutory Declaration)
* signatures are in pen - electronic signatures are not permitted
* any corrections are ruled out in pen (do not use white-out) and are initialled by both you and the witness.

If your Statutory Declaration is not correct, Services Australia will contact you to provide a new copy and your suitability assessment will not progress until this is received

## Witnesses to a Statutory Declaration

There are a number of people who can witness a statutory declaration. A [Commonwealth](https://www.ag.gov.au/Publications/Statutory-declarations/Pages/default.aspx) [statutory declaration](https://www.ag.gov.au/Publications/Statutory-declarations/Pages/default.aspx) under the [*Statutory Declarations Act 1959*](http://www.comlaw.gov.au/Series/C1959A00052) will need to be witnessed by a person who is both:

* on the list of authorised witnesses (page 3), and
* has a connection to Australia.

If you are currently overseas, you may be able to find someone who is an authorised witness at your nearest Australian Embassy, High Commission or Consulate.

For more information, including contact details, visit the [Department of Foreign Affairs and](http://www.dfat.gov.au/missions/) [Trade](http://www.dfat.gov.au/missions/) or [Smartraveller](http://smartraveller.gov.au/services/legalising-documents/Pages/default.aspx) website. An authorised witness overseas may attract a fee under the [*Consular Fees Act 1955*](http://www.comlaw.gov.au/Series/C1955A00005)*.*

## Providing false and/or misleading information

When you make a statutory declaration, you are declaring that the statements in it are true.

If you intentionally make a false statement in a statutory declaration, you could be charged with an offence and, if convicted, you could be fined or jailed, or both. This is also applicable to witnesses.

Commonwealth of Australia

STATUTORY DECLARATION

*Statutory Declarations Act 1959*

1. *Insert the name, address and occupation of person making the declaration*
2. *Set out matter declared to in numbered paragraphs*
3. *Signature of person making the declaration*
4. *Place (Town/City, State)*
5. *Day*
6. *Month and year*
7. *Signature of person before whom the declaration is made (see over)*
8. *Full name,*

*qualification and address of person before whom the declaration is made (in printed letters)*

I,1

Name: Address: Occupation:

make the following declaration under the *Statutory Declarations Act 1959:*

2

1. All of the documentation I have supplied for the suitability assessment

process are copies of authentic documents issued to me.

1. All of the information I have provided in the Eligibility and Suitability Pack is true and accurate, in relation to me.
2. Give my informed consent for the required checks to be undertaken, including my personal information being provided to any persons, agencies, departments and organisations, for the purposes of those checks.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3

Declared at 4

on 5 of 6

Before me,

7

8

*Note 1* - A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

*Note 2* - Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

**A statutory declaration under the *Statutory Declarations Act 1959* may be made before–**

1. a person who is currently licensed or registered under a law to practise in one of the following occupations:

|  |  |  |
| --- | --- | --- |
| Architect | Chiropractor | Dentist |
| Financial Advisor or Financial Planner | Legal Practitioner | Medical Practitioner |
| Midwife | Nurse | Occupational Therapist |
| Optometrist | Patent Attorney | Pharmacist |
| Physiotherapist | Psychologist | Trade Marks Attorney |
| Veterinary Surgeon | Migration Agent registered under Division 3 of Part 3 of the *Migration Act 1958* | |

1. a person who is enrolled on the roll of the Supreme Court of a state or territory, or the High Court of Australia, as a legal practitioner (however described), or
2. a person who is in the following list:

* accountant who is:

1. a fellow of the National Tax Accountants' Association, or
2. a member of any of the following:
   * + 1. Chartered Accountants Australia and New Zealand
       2. the Association of Taxation and Management Accountants
       3. CPA Australia
       4. the Institute of Public Accountants

* agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
* APS employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in another item of this Part
* 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 a Commonwealth authority engaged on a permanent basis with 5 or more years of continuous service who is not specified in another item in this Part
* employee of the Australian Trade and Investment Commission who is:

1. in a country or place outside Australia, and
2. authorised under paragraph 3(d) of the Consular Fees Act 1955, and
3. exercising his or her function in that place

* employee of the Commonwealth who is:

1. in a country or place outside Australia, and
2. authorised under paragraph 3(c) of the Consular Fees Act 1955, and
3. exercising his or her function in that place

* engineer who is:

1. a member of Engineers Australia, other than at the grade of student, or
2. a Registered Professional Engineer of Professionals Australia, or
3. registered as an engineer under a law of the Commonwealth, a state or territory, or
4. registered on the National Engineering Register by Engineers Australia

* 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
* 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 the Australian Defence Force who is:

1. an officer, or
2. a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service, or
3. a warrant officer within the meaning of that Act

* member of the Australasian Institute of Mining and Metallurgy
* member of the Governance Institute of Australia Ltd
* member of:

1. the parliament of the Commonwealth, or
2. the parliament of a state; or
3. a territory legislature, or
4. a local government authority

* minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
* notary public, including a notary public (however described) exercising functions at a place outside:

1. the Commonwealth, and
2. the external territories of the Commonwealth

* 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:

1. a state or territory, or a state or territory authority, or
2. a local government authority with 5 or more years of continuous service, other than such an employee who is specified in another item of this Part

* 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 employee of a Commonwealth authority
* senior executive employee of a state or territory
* SES employee of the Commonwealth
* sheriff
* sheriff's officer
* teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution.