

Commonwealth of Australia  
STATUTORY DECLARATION  
*Statutory Declarations Act 1959*

1 Insert the name, address and occupation of person making the declaration

I,<sup>1</sup> Simon Hobart Rorke of Unit 20, 35-39 Glenmore Street, Naremburn NSW, a Company Director

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

2 Set out matter declared to in numbered paragraphs

2

That I am the sole Member of the William Walter SMSF. Many of the hard copy records for the SMSF were destroyed by mice/rodents during the plague in NSW in 2020/21. I notified the ATO in 2022 when I discovered that they had been destroyed. See attached messaging to Australian Tax Office. I have requested from the issuers of the invoices copies and they have been supplied. Some of the invoices have not been supplied despite repeated requests to the suppliers/companies. Some of the Businesses/Companies no longer exist. Some were individuals and sole traders. Some of the purchases for materials were from places like Facebook Marketplace and the like. Receipts were obtained at the time of these purchases and are included in destroyed documents. I went through all the bank statements and my emails to identify the transactions. Please refer to the attached spreadsheet for a breakup of the costs of the improvements to Ellamara, the property owned by the SMSF. I have made all the possible inquiries and investigations to recover or identify the transactions however not all the transactions can be supported with paperwork. Attached is a detailed spreadsheet breaking down the costs of the renovations which was derived from the detailed report from the bank. I confirm that the smsf property is vacant and there is no personal use of the property by the members.

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 Signature of person making the declaration

3

4 [Optional: email address and/or telephone number of person making the declaration]

4

5 Place  
6 Day  
7 Month and year

Declared at <sup>5</sup> on <sup>6</sup> of <sup>7</sup>

Before me,

8 Signature of person before whom the declaration is made (see over)

8

9 Full name, qualification and address of person before whom the declaration is made (in printed letters)

9

10 [Optional: email address and/or telephone number of person before whom the declaration is made]

10

*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 adviser	Financial Planner	Legal practitioner
Medical practitioner	Midwife	Migration agent registered under Division 3 of Part 3 of the <i>Migration Act 1958</i>
Nurse	Occupational therapist	Optometrist
Patent attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) 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

(3) a person who is in the following list:

Accountant who is:

- a) a fellow of the National Tax Accountants' Association; or
- b) a member of any of the following:
  - i. Chartered Accountants Australia and New Zealand;
  - ii. the Association of Taxation and Management Accountants;
  - iii. CPA Australia;
  - iv. 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 in this list

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 list

Employee of the Australian Trade and Investment 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 the employee's function at that place

Employee of the Commonwealth who is:

- (a) at a place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising the employee's function at that place

Engineer who is:

- a) a member of Engineers Australia, other than at the grade of student; or
- b) a Registered Professional Engineer of Professionals Australia; or
- c) registered as an engineer under a law of the Commonwealth, a State or Territory; or
- d) 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:

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

- a) the Parliament of the Commonwealth
- b) the Parliament of a State
- c) a Territory legislature
- d) 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

- a) the Commonwealth
- b) 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 providing postal services to the public

Permanent employee of

- a) a State or Territory or a State or Territory authority
- b) 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 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 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