

Completing the Statutory Declaration

What is a Statutory Declaration?

A *Statutory Declaration* is a legal document. It is a written statement about something that is true and correct.

By signing the Statutory Declaration, you agree that the information in it is true. It is illegal (against the law) to make a false statement.

The Statutory Declaration must be witnessed by an *Authorised Witness*.

Only an *Authorised Witness* can certify the copy to prove it is a true copy of the original.

An Authorised Person is called a Commissioner of Declarations because of their profession or employment.

Completing the Statutory Declaration Form

You must make the Statutory Declaration on the form provided to you.

You can type or write Section 1 and 2 of the declaration before visiting your *authorised witness* but DO NOT sign it yet. You must sign the declaration in front the witness.

Find an Authorised Statutory Declaration Witness

The next step is to have the Statutory Declaration witnessed by someone who is authorised to do so, such as:

- A Justice of the Peace
- A pharmacist
- A teacher (working fulltime)
- A police officer
- A dentist

A full list of authorised witnesses is here:

https://www.justice.tas.gov.au/commissionersfordeclarations/list_of_groups (or see page 4)

NOTE:

- An authorised witnesses do not have to accept a request to witness a statutory declaration
- When making arrangements to have a statutory declaration witnessed, you should confirm first that a witness is available at a convenient time and place.

Sign your Statutory Declaration

In the presence of the Authorised Witness:

- Sign and date the Statutory Declaration (Section 3, 4 5 and 6)
- The Witness will complete Section 7 and 8

- Part 1: Write your name, address and occupation

Statutory Declarations Act 1959

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

I¹ _____ of _____
(name) (address)

_____ (occupation)

Part 1

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

- Part 2: Make your declaration – tick the applicable boxes

2 Set out matter declared to in numbered paragraph

Part 2

• I declare that (place a tick or cross in applicable box):

since turning 16 years of age, I have been a citizen or permanent resident of a country/countries other than Australia.

since turning 16 years of age, I have never been a citizen or permanent resident of a country/countries other than Australia

• I declare that I have never been:

convicted of murder or sexual assault; or

convicted of, and sentenced to imprisonment for, any other form of assault.

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.

- Part 3: Write your signature
- Part 4, 5 and 6: Write the place you are making the declaration, the day, month and year

3 Signature of person making the declaration

Part 3 _____
(signature)

4 Place
5 Day
6 Month and year

Declared at _____ on _____
(place) (day)

Part 4, 5, 6 of _____
(month) (year)

- Part 7 and 8: to be completed by the Commissioner of Declarations

Before me,

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

_____ (signature)

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

_____ (name) (qualification)

_____ (address)

Part 7 and 8

Who is a Commissioner of Declarations?

For example:

- Health professionals registered in Australia. For example, pharmacist, nurse, dentist, medical practitioner, optometrist, physiotherapist, psychologist
- Australian lawyer
- Justice of the Peace
- Elected Government representative (federal, state, territory or local)
- Public Servants employed for five years or more (federal, state, territory or local)
- Accountant (member of Chartered Accountants, ATMA, CPA, IPA, or fellow of the NTAA) in Australia
- Veterinary surgeon registered in Australia
- An employed teacher at a school or tertiary institution
- Member of:
 - o Engineers Australia, other than at the grade of student
 - o Australian Defence Force (an officer; or a non-commissioned officer with five years or more continuous service; or a warrant officer)
 - o Australasian Institute of Mining and Metallurgy
- Notary public
- Police officer
- Sheriff or sheriff's officer
- Minister of religion in Australia