



Statutory Declarations Regulations 1993

Statutory Rules 1993 No. 156 as amended

made under the

Statutory Declarations Act 1959

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taking into account amendments up to SLI 2005 No. 267

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1 Name of Regulations [see Note 1]

These Regulations are the *Statutory Declarations Regulations 1993*.

2 Interpretation

In these Regulations, unless the contrary intention appears:
Act means the *Statutory Declarations Act 1959*.

3 Statutory declaration — prescribed form

- (1) For paragraph 8 (a) of the Act, each of the following forms is prescribed:
 - (a) the form set out in Schedule 1;
 - (b) the form set out in the Schedule to the Act, as in force immediately before the commencement of items 55 and 56 of Schedule 1 to the *Law and Justice Legislation Amendment Act 2004*.
- (2) Paragraph (1) (b) ceases to have effect at the end of 30 June 2006.

4 Persons before whom a statutory declaration may be made

For paragraph 8 (b) of the Act, each of the following persons is prescribed:

- (a) a person who, under a law in force in a State or Territory, is currently licensed or registered to practise in an occupation listed in Part 1 of Schedule 2;
- (b) 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);
- (c) a person listed in Part 2 of Schedule 2.

Schedule 1 Form of statutory declaration (regulation 3)

STATUTORY DECLARATION

Statutory Declarations Act 1959

I, [*Name, address and occupation of person making the declaration*]
make the following declaration under the *Statutory Declarations Act 1959*:

1. [*Set out matter declared to in numbered paragraphs*]
- 2.
- 3.

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.

[*Signature of person making the declaration*]

Declared at [*place*] on [*day*] of [*month*] [*year*]

Before me,

[*Signature of person before whom the declaration is made*]

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

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*.

Schedule 2 Persons before whom a statutory declaration may be made

(regulation 4)

Part 1 Occupations

Item	Occupation
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101	Chiropractor
102	Dentist
103	Legal practitioner
104	Medical practitioner
105	Nurse
106	Optometrist
107	Patent attorney
108	Pharmacist
109	Physiotherapist
110	Psychologist
111	Trade marks attorney
112	Veterinary surgeon

Part 2 Other persons

Item	Person
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201	Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
202	Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the <i>Consular Fees Act 1955</i>)
203	Bailiff
204	Bank officer with 5 or more continuous years of service

Item	Person
205	Building society officer with 5 or more years of continuous service
206	Chief executive officer of a Commonwealth court
207	Clerk of a court
208	Commissioner for Affidavits
209	Commissioner for Declarations
210	Credit union officer with 5 or more years of continuous service
211	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 <i>Consular Fees Act 1955</i> ; and (c) exercising his or her function in that place
212	Employee of the Commonwealth who is: (a) in a country or place outside Australia; and (b) authorised under paragraph 3 (c) of the <i>Consular Fees Act 1955</i> ; and (c) exercising his or her function in that place
213	Fellow of the National Tax Accountants' Association
214	Finance company officer with 5 or more years of continuous service
215	Holder of a statutory office not specified in another item in this Part
216	Judge of a court
217	Justice of the Peace
218	Magistrate
219	Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the <i>Marriage Act 1961</i>
220	Master of a court
221	Member of Chartered Secretaries Australia
222	Member of Engineers Australia, other than at the grade of student
223	Member of the Association of Taxation and Management Accountants

Item	Person
224	Member of the Australian Defence Force who is: <ul style="list-style-type: none">(a) an officer; or(b) a non-commissioned officer within the meaning of the <i>Defence Force Discipline Act 1982</i> with 5 or more years of continuous service; or(c) a warrant officer within the meaning of that Act
225	Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
226	Member of: <ul style="list-style-type: none">(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
227	Minister of religion registered under Subdivision A of Division 1 of Part IV of the <i>Marriage Act 1961</i>
228	Notary public
229	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
230	Permanent employee of: <ul style="list-style-type: none">(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 Part
231	Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
232	Police officer
233	Registrar, or Deputy Registrar, of a court
234	Senior Executive Service employee of: <ul style="list-style-type: none">(a) the Commonwealth or a Commonwealth authority; or(b) a State or Territory or a State or Territory authority
235	Sheriff

Item	Person
236	Sheriff's officer
237	Teacher employed on a full-time basis at a school or tertiary education institution
238	Member of the Australasian Institute of Mining and Metallurgy

Table of Instruments

Notes to the *Statutory Declarations Regulations 1993***Note 1**

The *Statutory Declarations Regulations 1993* (in force under the *Statutory Declarations Act 1959*) as shown in this compilation comprise Statutory Rules 1993 No. 156 amended as indicated in the Tables below.

Under the *Legislative Instruments Act 2003*, which came into force on 1 January 2005, it is a requirement for all non-exempt legislative instruments to be registered on the Federal Register of Legislative Instruments. From 1 January 2005 the Statutory Rules series ceased to exist and was replaced with Select Legislative Instruments (SLI series). Numbering conventions remain the same, ie Year and Number.

Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1993 No. 156	29 June 1993	29 June 1993	
1997 No. 339	3 Dec 1997	3 Dec 1997	—
2002 No. 70	18 Apr 2002	18 Apr 2002	—
2003 No. 238	18 Sept 2003	18 Sept 2003	—
2004 No. 262	26 Aug 2004	26 Nov 2004	—
2005 No. 267	24 Nov 2005 (see F2005L03677)	25 Nov 2005	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 2002 No. 70
R. 3	rs. 2004 No. 262 am. 2005 No. 267
R. 4	rep. 2003 No. 238 ad. 2004 No. 262
Schedule.....	am. 1997 No. 339; 2002 No. 70; 2003 No. 238 rep. 2004 No. 262
Schedule 1	
Schedule 1.....	ad. 2004 No. 262
Schedule 2	
Schedule 2.....	ad. 2004 No. 262 am. 2005 No. 267