

To be inserted by Court

Case Number:

Date Filed:

FDN:

AFFIDAVIT

ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION

Please specify the Full Name for each party. Each party should include a party number if more than one party of the same type.

Applicant/s / Appellant/s:

Respondent/s:

| | | | |
|--|--|-----------|----------|
| Lodging Party | Full Name | | |
| Name of Law Firm / Solicitor If any | Law Firm | Solicitor | |
| Address | Street Address (including unit or level number and name of property if required) | | |
| | City/town/suburb | State | Postcode |
| Contact Details | Email Address | | |
| | Phone Number | | |

| | | | | |
|-------------------------|--|-------|----------|---------|
| Deponent Details | | | | |
| Deponent | Full Name | | | |
| Address | Street Address (including unit or level number and name of property if required) | | | |
| | City/town/suburb | State | Postcode | Country |
| | Email Address | | | |
| | Phone Number | | | |
| Occupation | Occupation | | | |

Affidavit

Mark appropriate section below with an 'x'

I [] swear on oath / [] do truly and solemnly affirm that:

Set out text in separate numbered paragraphs

If the affidavit relates to an application, identify the application and state the material facts relevant to the application

1.

Deposed by the deponent (person who is swearing/affirming the affidavit):

At

On

.....
Signature of deponent

.....
Name printed

before me
Signature of attesting witness

.....
Printed name and title of witness
Stamp here if applicable

.....
Date

.....
ID number of witness
If applicable

Instructions

- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2.
- The affidavit should be confined to facts and should not include submissions.
- The affidavit should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- A single 'front page' must be inserted in front of the exhibits in form 14.

- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- An affidavit is to be sworn if it is made in this State in accordance with section 6 of the *Evidence Act 1929* or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits ('the witness'). Persons authorised to witness an affidavit are:
 - (a) a Registrar or Deputy Registrar
 - (b) any other officer of the Court whom the Registrar has assigned for this purpose;
 - (c) a public notary;
 - (d) a commissioner for taking affidavits;
 - (e) a justice of the peace for South Australia;
 - (f) any other person authorised by law to take affidavits.
- The contents of an affidavit cannot be altered after the affidavit has been sworn or affirmed.
- The party serving an affidavit must serve copies of all exhibits with the affidavit.

Service

The party filing this document is required to serve it on all other parties in accordance with the Rules of Court.