

Form 12A

To be inserted by Court
Case Number:
Date Filed:
FDN:

AFFIDAVIT OF [FULL NAME OF DEPONENT] MADE ON [DATE]

SUPREME COURT OF SOUTH AUSTRALIA
CIVIL JURISDICTION

Please specify the Full Name of the Applicant.

[FULL NAME]
Applicant

Filed by the Applicant	
Applicant	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))

Deponent the person who is making the affidavit			
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 Details	Type (eg. Home; work; mobile) - Number	Another number	

Affidavit Mark appropriate sections below with an 'x'

I, *[full name]*,

- swear on oath that:
- do truly and solemnly affirm that:

1. My date of birth is
2. I have complied with the academic requirements for admission by completing
 - an academic qualification pursuant to LPEAC Rule 7(2); or
 - academic requirements specified by the Board of Examiners pursuant to LPEAC rule [16/17]
3. A true copy, certified by the attesting witness to this affidavit, of the official academic transcript dated *[date]* evidencing that I have completed the academic qualification or requirements referred to in paragraph 2 above is now shown to me marked 'A'. I am the person therein named.

OR

- A digital copy of the official academic transcript dated *[date]* evidencing that I have completed the academic qualification or requirements referred to in paragraph 2 above is available to be viewed at *[link]*.
 - If applicable The name which appears on the above document is different to my current name shown above. The reason for the difference is *[explain why name is different eg maiden name shown in document but now have married name]*. Now shown to me marked 'B' is a copy, certified by the attesting witness to this affidavit, of proof that I am the person named in the above document. For example a marriage certificate or certificate of legal change of name
4. I have complied with the practical requirements for admission by completing
 - a course of study pursuant to LPEAC Rule 8(1)(b); or
 - practical requirements specified by the Board of Examiners pursuant to LPEAC rule [16/17]
 5. A true copy, certified by the attesting witness to this affidavit, of the original certificate dated *[date]* evidencing that I have completed the practical requirements for admission referred to in paragraph 4 above is now shown to me marked 'C'. I am the person therein named.
 - A digital copy of the original certificate dated *[date]* evidencing that I have completed the practical requirements for admission referred to in paragraph 4 above is available to be viewed at *[link]*.
 - If applicable The name which appears on the above document is different to my current name shown above. The reason for the difference is *[explain why name is different eg maiden name shown in document but now have married name]*. Now shown to me marked 'D' is a copy, certified by the attesting witness to this affidavit, of proof that I am the person named in the above document. For example a marriage certificate or certificate of legal change of name
 6. A certified true copy of my *[driver's licence/passport/birth certificate]* is now shown to me marked 'E'. I am the person therein named.
 7. I have read the Disclosure Guidelines for Applicants for Admission to the Legal Profession issued by the Law Admissions Consultative Committee contained in Appendix D of the LPEAC Rules.
 8. I have not been convicted or found guilty by a Court of any offences, nor, as far as I am aware, are there any charges or proceedings outstanding against me in relation to any offence or offences alleged to have been committed by me *[except [that/those] referred to in Exhibit "F"]*.
Full details must be given in relation to each offence or alleged offence in a separate statement, which is to be exhibited to the affidavit in a sealed envelope, of the date and nature of the charge, the Court in which it was or will be heard, the sentence (if any) imposed, and the circumstances in which the offence was or is alleged to have been committed.

9. I have not otherwise done or suffered anything likely to affect adversely my good fame and character, nor am I aware of any circumstances that might affect my fitness to be admitted as a practitioner [except - set out any facts or circumstances that the applicant is required to bring to the notice of the Board of Examiners].

Matters that must be disclosed include that the applicant is or has been bankrupt and the circumstances of bankruptcy or has been found to have engaged in academic dishonesty such as plagiarism.

10. I authorise the Board of Examiners to obtain from any institution at which I have pursued any course of study as part of the academic or practical requirements for admission, such information as the Board may think fit and in such form as the Board may request as to any matter relevant to the course of study, including information as to whether during the course of study I engaged in any dishonest conduct including plagiarism or other conduct relevant to the determination of whether I am a fit and proper person to be admitted as a practitioner.

11. I do not suffer from any illness or condition, either permanently or intermittently, that might be considered to affect my ability to perform all the duties and responsibilities reasonably required of a legal practitioner adequately or safely [except - set out the facts and circumstances relating to any relevant illness or condition].

12. English is my native language.
 English is not my native language. I am sufficiently fluent in written and spoken English to enable me to practise as a practitioner.

13. I have not previously been admitted to practise law in Australia.
 I was admitted to practise in [State or Territory] on [date of first admission] and I remain enrolled as a practitioner of that jurisdiction. I have not at any time been struck off the Roll of Practitioners or otherwise been suspended from practise and I am not presently subject to any disciplinary inquiry or proceeding.

14. I have in all other respects complied with Chapter 20 Part 7 of the Uniform Civil Rules and the LPEAC Rules 2018.

[Sworn/Affirmed] select one by the deponent

At [place]

On [date]

.....
Signature of Deponent

before
me.....

Signature of attesting witness
Must be an authorised witness – see rule 31.9

and I certify that I have sighted the original
certified documents referred to by the deponent in

this affidavit and certify that the documents are true and correct copies

.....
Printed name of witness

.....
Qualification as authorised witness under section 27A(3) of the *Oaths Act 1936*.
Stamp here if applicable

.....
Identification of witness if applicable
(ID number of Justice of the Peace; rank, identification number and "South Australia Police" for police officer)

Next box not displayed on completed affidavit

Please ensure you have complied with instructions for completing an affidavit

Instructions

- Please review the Code of Practice in relation to Affidavits published by the Attorney-General under s 33 of the *Oaths Act 1936* before completing this form.
- The person who makes the affidavit is called the deponent. The deponent makes the affidavit by taking an oath or affirmation in the presence of an authorised witness.
- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2.
- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- A single 'front page' must be inserted in front of the exhibit(s) in Form 14.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- The declaration should be confined to facts and should not include submissions.
- The declaration 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 affidavit is to be sworn or affirmed 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 Commissioner for taking affidavits in the Supreme Court;
 - (b) a justice of the peace;
 - (c) a police officer, other than a police officer who is a probationary constable;
 - (d) a person admitted and enrolled as a notary public of the Supreme Court;
 - (e) any other person of a class prescribed by regulation.
- The contents of the affidavit cannot be altered after the affidavit has been sworn or affirmed.
 - If the deponent is illiterate or blind, see rule 31.7(6). If the deponent does not appear to understand English sufficiently, see rule 31.7(7).