

Form 13A

<b>To be inserted by Court</b>
Case Number:
Date Filed:
FDN:

## STATUTORY DECLARATION

[*SUPREME/DISTRICT/MAGISTRATES*] Delete all but one COURT OF SOUTH AUSTRALIA  
CIVIL JURISDICTION

Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.

First Applicant

<b>Lodging Party</b>	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))	
Name of law firm / solicitor If any	Law Firm	Solicitor

<b>Declarant</b> Person making the Declaration	Full Name			
Address	Street Address (including unit or level number and name of property if required)			
	City/town/suburb	State	Postcode	Country
	Email address			
Occupation	Occupation			

<b>Statutory declaration</b>
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I, *[full name]*, do solemnly and sincerely declare under the *Oaths Act 1936* that:

Set out text in separate numbered paragraphs. If the declaration relates to an application, identify the application and state the material facts relevant to the application.

1. I am the Applicant.
2. All of the information set out in my Application for Registration is to the best of my knowledge and belief true and correct in every particular and that the accompanying documents are what they purport to be.

Declared by the declarant

At *[place]*

On *[date]*

.....  
Signature of declarant

.....  
Name printed

before me .....

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

.....  
Printed name and title of witness

.....  
Qualification as authorised witness under section 25(2) of the *Oaths Act 1936*.  
Stamp here if applicable

.....  
Date

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

## Instructions

- Please review the Code of Practice in relation to Statutory Declarations published by the Attorney-General under s 33 of the Oaths Act 1936 before completing this form.
- The person who makes the statutory declaration is called the declarant. The declarant makes the statutory declaration by declaring in the presence of an authorised witness.
- Each page of the statutory declaration, including any exhibit(s), must be consecutively numbered starting with page 2.
- Each page of the statutory declaration (but not any exhibit) must be signed by both the declarant and the witness.
- A single 'front page' must be inserted in front of the exhibits in Form 14.
- An exhibit to a statutory declaration must be clearly marked to identify it as the exhibit referred to in the declaration.
- 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.
- A statutory declaration is to be made if it is made in this State in accordance with the Oaths Act 1936 (SA) or, if made elsewhere, in accordance with the law for the making of statutory declarations in that place.
- The declarant must make a statutory declaration before a person authorised by law to witness statutory declarations ('the witness'). Persons authorised to witness a statutory declaration are:
  - (a) a Commissioner for taking affidavits in the Supreme Court;
  - (b) a person who is registered as a conveyancer under the *Conveyancers Act 1994*;
  - (c) a justice of the peace;
  - (d) a police officer, other than a police officer who is a probationary constable;
  - (e) a person admitted and enrolled as a notary public of the Supreme Court;
  - (f) an agent of the Australian Postal Corporation in charge of an office supplying postal services to the public;
  - (g) an Australian Consular Officer or an Australian Diplomatic Officer within the meaning of the *Consular Fees Act 1955* of the Commonwealth;
  - (h) a bailiff;
  - (i) a bank officer who has 5 or more years of continuous service;
  - (j) a building society officer who has 5 or more years of continuous service;
  - (k) a chief executive officer of a Commonwealth court;
  - (l) a clerk of a court;
  - (m) a credit union officer who has 5 or more years of continuous service;
  - (n) an employee of the Australian Trade and Investment Commission who is—
    - (i) in a country or place outside Australia; and
    - (ii) authorised under paragraph 3(d) of the *Consular Fees Act 1955* of the Commonwealth; and

- (iii) exercising their function in that place;
  - (o) an employee of the Commonwealth who is—
    - (i) in a country or place outside Australia; and
    - (ii) authorised under paragraph 3(c) of the *Consular Fees Act 1955* of the Commonwealth; and
    - (iii) exercising their function in that place;
  - (p) a fellow of the National Tax and Accountants' Association;
  - (q) a registered health practitioner;
  - (r) a finance company officer who has 5 or more years of continuous service;
  - (s) a marriage celebrant registered under Part IV Division 1 Subdivision C of the *Marriage Act 1961* of the Commonwealth;
  - (t) a member of the Governance Institute of Australia;
  - (u) a member of Engineers Australia, other than at the student grade;
  - (v) a member of the Association of Taxation and Management Accountants;
  - (w) a member of the Australasian Institute of Mining and Metallurgy;
  - (x) a member of the Australian Defence Force who is—
    - (i) an officer; or
    - (ii) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* of the Commonwealth who has 5 or more years of continuous service; or
    - (iii) a warrant officer within the meaning of the *Defence Force Discipline Act 1982* of the Commonwealth;
  - (y) a member of the Institute of Chartered Accountants in Australia, CPA Australia (Certified Public Accountants) or the Institute of Public Accountants;
  - (z) a Member of—
    - (i) the Parliament of the Commonwealth; or
    - (ii) the Parliament of a State; or
    - (iii) a Territory legislature; or
    - (iv) a local government authority of a State or Territory;
  - (aa) a minister of religion registered under Part IV Division 1 Subdivision A of the *Marriage Act 1961* of the Commonwealth;
  - (bb) a patent attorney or a trade marks attorney;
  - (cc) a permanent employee of the Australian Postal Corporation who has 5 or more years of continuous service who is employed in an office supplying postal services to the public;
  - (dd) a permanent employee of—
    - (i) the Commonwealth or a Commonwealth authority; or
    - (ii) a State or Territory or a State or Territory authority; or
    - (iii) a local government authority,
 with 5 or more years of continuous service who is not specified in another item in this list;
  - (ee) a Senior Executive Service employee of—
    - (i) the Commonwealth or a Commonwealth authority; or
    - (ii) a State or Territory or a State or Territory authority;
  - (ff) a sheriff;
  - (gg) a sheriff's officer;
  - (hh) a teacher employed on a full-time basis at a school or tertiary education institution;
  - (ii) a veterinary surgeon;
  - (jj) any other person of a class prescribed by regulation.
- The contents of the statutory declaration cannot be altered after the statutory declaration has been declared.

- The party serving a statutory declaration must serve copies of all exhibits with the declaration.
- 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).