

Form 42

To be inserted by Court

Case Number:

Date Filed:

FDN:

**AFFIDAVIT OF [*FULL NAME OF DEPONENT*] OF PROOF OF SERVICE
MADE ON [*DATE*]**

Full name of person to serve: [*name*]

[*SUPREME/DISTRICT/MAGISTRATES/ENVIRONMENT, RESOURCES AND DEVELOPMENT/YOUTH*]
Delete all but one COURT OF SOUTH AUSTRALIA

[*COURT OF APPEAL*] If applicable

CIVIL JURISDICTION

[*MINOR CIVIL*] If applicable

[*NAME OF LIST*] LIST If applicable

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

[*FULL NAME*]

First Applicant

[*FULL NAME*]

First Respondent

[*FULL NAME*]

First Interested Party

Lodging Party	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

Deponent process server			
Deponent the person who is making the affidavit	Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))		
Address for service	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
	Email address		
Phone Details	Type - Number		

Instructions for completion of Affidavit of Service	
1.	If document(s) are served on an individual who is the person to be served (item 1 of the table under rule 42.1 of the Uniform Civil Rules), the person who served the document(s) must complete box 1.
2.	If document(s) are served in accordance with item 2 of the table under rule 42.1 of the Uniform Civil Rules the person who served the document(s) must complete box 2A and the person instructing service of the document(s) must complete box 2B.
3.	If document(s) are served in accordance with items 3 to 8 of the table under rule 42.1 of the Uniform Civil Rules the person who served the document(s) must complete <u>either</u> box 2A, 3A or 4 depending on the method by which the document(s) were served. If box 2A is to be completed by the person who served the documents, the person instructing service must complete box 2B. If box 3A is to be completed by the person who served the documents, the person instructing service must complete box 3B.
4.	If document(s) are served in accordance with items 9 to 13 of the table under rule 42.1 of the Uniform Civil Rules the person who served the document(s) must complete <u>either</u> box 2A or 3A depending on the method by which the document(s) were served. If box 2A is to be completed by the person who served the documents, the person instructing service must complete box 2B. If box 3A is to be completed by the person who served the documents, the person instructing service must complete box 3B.
5.	If document(s) are served in accordance with rule 42.2 of the Uniform Civil Rules the person who served the document(s) must complete box 5.
6.	If document(s) are served in accordance with rule 42.3 of the Uniform Civil Rules the person who served the document(s) must complete box 6.
7.	If document(s) are served in accordance with rule 42.4 or 42.5 of the Uniform Civil Rules the person who served the document(s) must complete <u>either</u> box 7, 8 or 9A depending on the method by

which the document(s) were served. If box 9A is to be completed by the person who served the documents, the person instructing service must complete box 9B.

8. If document(s) are served in accordance with **rule 42.6** of the Uniform Civil Rules the person who served the document(s) must complete box 10.
9. If document(s) are served in accordance with **rule 42.7** of the Uniform Civil Rules the person who served the document(s) must complete box 11.
10. If document(s) are served in accordance with **rule 44.3** of the Uniform Civil Rules the person who served the document(s) must complete box 12.

Box 1 – delete if not applicable

Affidavit of Personal Service on an Individual

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served *[party title]*, *[full name]*, with the document[s] described below by way of personal service on *[name of person served]* at *[service location]* on *[date]* at approximately *[time]*.

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file *[is/are]* exhibited to this affidavit and marked *[exhibit number]*.

3. I identified the person served by: *[details of how person served was identified]*.

4. I had the following conversation with that person: *[details of any conversation about the document and the identity of that person]*.

5. *[any other matter(s)]*.

Box 2A – delete if not applicable

Affidavit by Process Server of Service on a Party's Representative

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served *[party title]*, *[full name]*, with the document[s] described below by serving the document[s] on *[name of person to whom document(s) given]* at *[service location]* on *[date]* at approximately *[time]*.

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file *[is/are]* exhibited to this affidavit and marked *[exhibit number]*.

3. I was instructed that the person to whom the document[s] *[was/were]* given is *[a/an/the]* *[parent, guardian, litigation guardian, director, liquidator, administrator, member, partner, Attorney-General of the State/Commonwealth, person appointed by the Attorney-General to receive service, solicitor acting for the State pursuant to section 13(3) of the Crown Proceedings Act 1992]* *[of/for]* the *[person/entity]* served.

4. I identified the person to whom I gave the documents by *[details of how person served was identified]*.

5. I had the following conversation with that person: *[details of any conversation about the document and the identity of that person]*.

6. *[any other matter(s)]*.

Box 2B – delete if not applicable

Affidavit of Person Instructing Service on a Party's Representative

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I instructed [the Sheriff/name of process server or firm] to serve [party title], [full name], with documents in this proceeding by serving them on [name of person to whom documents were to be given].
2. Exhibited to this affidavit and marked [exhibit number] is [exhibit description] which proves that the person to whom the documents were to be given is [a/an/the] [parent, guardian, director, liquidator, administrator, member, partner, Attorney-General for the State/Commonwealth, person appointed by the Attorney-General to receive service, solicitor acting for the State pursuant to section 13(3) of the Crown Proceedings Act 1992] [of/for] the [person/entity] to be served.
3. I verily believe that the person to whom the documents were to be given is a [parent, guardian, litigation, guardian, director, liquidator, administrator, member, partner, Attorney-General of the State/Commonwealth, person appointed by the Attorney-General to receive service, solicitor acting for the State pursuant to section 13(3) of the Crown Proceedings Act 1992] [of/for] the person to be served because [details].
4. [any other matter(s)].

Box 3A – delete if not applicable

Affidavit by Process Server of Service at an Office/Place of Business

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by leaving the documents at [service location] [with a person who appeared to be at least 18 years old] on [date] at approximately [time].
 - (a) the document(s) served already on the Court file is/are as follows:
 - [document description], dated [date], FDN [FDM]
 - [document description], dated [date], FDN [FDM]
 - [document description], dated [date], FDN [FDM]
 - [document description], dated [date], FDN [FDM]

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

3. I was instructed that the location at which the documents were served is the [registered office/head office/principal place of business/office of the administrator/liquidator] of the [person/entity] to be served.

4. I identified the person to whom I gave the documents by [details of how person served was identified].

5. I had the following conversation with the person to whom I gave the documents: [details of any conversation about the document and the identity of that person].

6. [any other matter(s)].

Box 3B – delete if not applicable

Affidavit of Person Instructing Service at an Office/Place of Business

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I instructed [the Sheriff/name of process server or firm] to serve [party title], [full name], with documents in this proceeding at [function and address of service location, eg the registered office of XYZ Pty Ltd].

2. Exhibited to this affidavit and marked [exhibit number] is [exhibit description] which proves that the place at which the documents were to be served is the [registered office/head office/principal place of business/office of the administrator/liquidator] of the entity to be served.

3. I verily believe that the place at which the documents were to be served is the [registered office/head office/principal place of business/office of the administrator/liquidator] of the entity to be served because [details].

4. [any other matter(s)].

Box 4 – delete if not applicable

Affidavit of Service by post on a company, registered body or body corporate pursuant to the Corporations Act 2001 (Cth) or the Service and Execution of Process Act 1992 (Cth) or the Local Government Act 1999

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served *[party title]*, *[full name]*, with the document[s] described below by posting the document[s] via prepaid post to *[name]* at *[address]* on *[date]* at approximately *[time]*.
 - (a) the document(s) served already on the Court file is/are as follows:
 - [document description]*, dated *[date]*, FDN *[FDM]*
 - [document description]*, dated *[date]*, FDN *[FDM]*
 - [document description]*, dated *[date]*, FDN *[FDM]*
 - [document description]*, dated *[date]*, FDN *[FDM]*
 - (b) the document(s) served not on the Court file is/are as follows:
 - [document description]*, dated *[date]*
 - [document description]*, dated *[date]*
 - [document description]*, dated *[date]*
 - [document description]*, dated *[date]*
2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file *[is/are]* exhibited to this affidavit and marked *[exhibit number]*.
3. Exhibited to this affidavit and marked *[exhibit number]* is *[exhibit description]* which proves that the address shown on the envelope containing the document[s] being served is the *[registered office/head office/principal place of business/office of the administrator/liquidator]* of the entity to be served.
4. I verily believe that the address shown on the envelope containing the document[s] being served is the *[registered office/head office/principal place of business/office of the administrator/liquidator]* of the entity to be served because *[details]*.
5. A copy of the envelope containing the document[s] served is exhibited to this affidavit and marked *[exhibit number]*.
6. *[any other matter(s)]*.

Box 5 – delete if not applicable

Affidavit of Email Service

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served *[party title]*, *[full name]*, with the document[s] described below by sending them as an attachment to an email addressed to *[email address]* on *[date]* at *[time]*.

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file *[is/are]* exhibited to this affidavit and marked *[exhibit number]*.

3. A copy of the email showing the date and time of sending is exhibited to this affidavit and marked *[exhibit number]*.

4. Exhibited to this affidavit and marked *[exhibit number]* is *[exhibit description]* which proves that the email address to which the document[s] *[was/were]* sent is the relevant email address pursuant to rule 42.2(1) and 45.4(1) of the Uniform Civil Rules.

5. I verily believe that the email address to which the document[s] *[was/were]* sent is the relevant address pursuant to rule 42.2(1) and 45.4(1) of the Uniform Civil Rules because *[details]*.

6. *[any other matter(s)]*.

Box 6 – delete if not applicable

Affidavit of Post Service

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served *[party title]*, *[full name]*, with the document[s] described below by posting the document[s] via Express Post to *[address]*:

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

[document description], dated *[date]*, FDN *[FDM]*

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

[document description], dated *[date]*

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file *[is/are]* exhibited to this affidavit and marked *[exhibit number]*.

3. I lodged the document for posting on *[date]*.

4. Exhibited to this affidavit and marked *[exhibit number]* is *[exhibit description]* which proves that the address shown on the envelope containing the document[s] served is the relevant address pursuant to rules 42.3(1) and 45.5 of the Uniform Civil Rules.

5. I verily believe that the address shown on the envelope containing the document[s] served is the relevant address pursuant to rule 42.3(1) and 45.5 of the Uniform Civil Rules because *[details]*.

6. A copy of the envelope containing the documents served is exhibited to this affidavit and marked *[exhibit number]*.

7. A printout from Australia Post's online tracking facility as proof of delivery is exhibited to this affidavit and marked *[exhibit number]*.

8. The tracking number shown in that printout matches that of the envelope containing the document that was posted.

9. *[any other matter(s)]*.

Box 7 – delete if not applicable

Affidavit of Service by Email to Solicitor or Agent

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by sending them as an attachment to an email addressed to their [solicitor/agent], [name], at [email address] on [date of service] at [time].

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

3. A copy of the email showing the date and time of sending is exhibited to this affidavit and marked [exhibit number].

4. Exhibited to this affidavit and marked [exhibit number] is [exhibit description] which proves that the [solicitor/agent] had [instructions/authority] to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person served within the meaning of rule [42.4(a)/42.5] of the Uniform Civil Rules.

5. I verily believe that the [solicitor/agent] had [instructions/authority] to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person served within the meaning of rule [42.4(a)/42.5] of the Uniform Civil Rules because [details].

6. Exhibited to this affidavit and marked [exhibit number] is [exhibit description] which proves that the person to whom I sent the document[s] had agreed to accept service in the manner in which the document[s] [was/were] served.

7. I verily believe that the person to whom I sent the document[s] had agreed to accept service on behalf of the person served in the manner in which the documents [was/were] served because [details].

8. A copy of a written acknowledgement of receipt issued by the solicitor pursuant to rule 42.4(b) of the Uniform Civil Rules is exhibited to this affidavit and marked [exhibit number].

9. [any other matter(s)].

Box 8 – delete if not applicable

Affidavit of Service by Post to Solicitor or Agent

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served [*party title*], [*full name*], with the document[s] described below by posting the document[s] via Express Post to their [*solicitor/agent*], [*full name*], at [*address*].

(a) the document(s) served already on the Court file is/are as follows:

[*document description*], dated [*date*], FDN [*FDM*]

[*document description*], dated [*date*], FDN [*FDM*]

[*document description*], dated [*date*], FDN [*FDM*]

[*document description*], dated [*date*], FDN [*FDM*]

(b) the document(s) served not on the Court file is/are as follows:

[*document description*], dated [*date*]

[*document description*], dated [*date*]

[*document description*], dated [*date*]

[*document description*], dated [*date*]

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [*is/are*] exhibited to this affidavit and marked [*exhibit number*].

3. I lodged the documents for posting on [*date*].

4. A printout from Australia Post's online tracking facility as proof of delivery is exhibited to this affidavit and marked [*exhibit number*].

5. The tracking number shown in that printout matches that of the envelope containing the document that was posted.

6. Exhibited to this affidavit and marked [*exhibit number*] is [*exhibit description*] which proves that the address shown on the envelope containing the document[s] served is the relevant address pursuant to rule 42.3(1) of Uniform Civil Rules.

7. I verily believe that the address shown on the envelope containing the document[s] served is the relevant address pursuant to rule 42.3(1) of the Uniform Civil Rules because [*details*].

8. A copy of the envelope containing the document[s] served is exhibited to this affidavit and marked [*exhibit number*].

9. Exhibited to this affidavit and marked [*exhibit number*] is [*exhibit description*] which proves that the person to whom I posted the document[s] had instructions or authority to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person being served within the meaning of rule [42.4(a)/42.5] the Uniform Civil Rules.

10. I verily believe that the person to whom I posted the document[s] had instructions or authority to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person served within the meaning of rule [42.4(a)/42.5] of the Uniform Civil Rules because [*details*].

11. Exhibited to this affidavit and marked [*exhibit number*] is [*exhibit description*] which proves that the person to whom I posted the document[s] had agreed to accept service in the manner in which the document[s] [*was/were*] served.

- 12. I verily believe that the person to whom I posted the document[s] had agreed to accept service on behalf of the person served in the manner in which the document[s] [was/were] served because [details].
- 13. A copy of a written acknowledgement of receipt issued by the solicitor pursuant to rule 42.4(b) of the Uniform Civil Rules is exhibited to this affidavit and marked [exhibit number].
- 14. [any other matter(s)].

Box 9A – delete if not applicable

Affidavit of Service by Delivery to Solicitor or Agent

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by delivering the document[s] the [party title]'s [solicitor/agent], [full name], at [address] on [date of service] at approximately [time].

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

3. I identified the person to whom I gave the documents by [details of how person served was identified].

4. I had the following conversation with the person to whom I gave the documents: [details of the conversation about the document and the identity of that person].

5. [any other matter(s)].

Box 9B – delete if not applicable

Affidavit of Person Instructing Service by Delivery to Solicitor or Agent

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I instructed *[the Sheriff/name of Process Server]* to serve *[party title]*, *[full name]*, with *[a]* document[s] in this proceeding by delivering the document[s] to the *[party title]*'s *[solicitor/agent]*, *[full name]*.
2. Exhibited to this affidavit and marked *[exhibit number]* is *[exhibit description]* which proves that the person to whom the documents were delivered had instructions or authority to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person served within the meaning of rule *[42.4(a)/42.5]* of the Uniform Civil Rules.
3. I verily believe that the person to whom the document[s] *[was/were]* delivered had instructions or authority to accept service of the document[s] or a class of documents encompassing the document[s] on behalf of the person served within the meaning of rule *[42.4(a)/42.5]* of the Uniform Civil Rules because *[details]*.
4. I verily believe that the person to whom the document[s] *[was/were]* delivered had agreed to accept service on behalf of the person served in the manner in which the document[s] *[was/were]* served because *[details]*.
5. Exhibited to this affidavit and marked *[exhibit number]* is *[exhibit description]* which proves that the person to whom the document[s] *[was/were]* delivered had agreed to accept service in the manner in which the document[s] *[was/were]* served.
6. A copy of a written acknowledgement of receipt issued by the solicitor pursuant to rule 42.4(b) of the Uniform Civil Rules is exhibited to this affidavit and marked *[exhibit number]*.
7. *[any other matter(s)]*.

Box 10 – delete if not applicable

Affidavit of Agreed Service

Mark appropriate sections below with an 'x'

Process Type: *[process type]*

I, *[full name]*,

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by [describe method of service] [to service location (if applicable)] on [date of service] at approximately [time].

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

[document description], dated [date], FDN [FDM]

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

[document description], dated [date]

2 Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

3. Exhibited to this affidavit and marked [exhibit number] is [exhibit description] which proves that the person served agreed to service of the document[s] or a class of documents encompassing the document[s] in the manner in which the document[s] [was/were] served within the meaning of rule 42.6 of the Uniform Civil Rules.

4. I verily believe that the person served agreed to service of the document[s] or a class of documents encompassing the document[s] in the manner in which the document[s] [was/were] served within the meaning of rule 42.6 of the Uniform Civil Rules because [details].

5. [any other matter(s)].

Box 11 – delete if not applicable

Affidavit of Substituted Service

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by [describe method of service] [to service location (if applicable)] on [date of service] at approximately [time].

(a) the document(s) served already on the Court file is/are as follows:

[document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]

(b) the document(s) served not on the Court file is/are as follows:

[document description], dated [date]
 [document description], dated [date]
 [document description], dated [date]
 [document description], dated [date]

2. Only select if paragraph 1(b) only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

3. [any other matter(s)].

Box 12 – delete if not applicable

Affidavit of Service at Address for Service

Mark appropriate sections below with an 'x'

Process Type: [process type]

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served [party title], [full name], with the document[s] described below by way of personal service on [name of person served] at [service location] on [date] at approximately [time].

2. I served [party title], [full name], with the document[s] described below by delivering the document[s] to the [party title]'s address for service at [address] and leaving the documents with a person who appeared to be at least 18 years old on [date of service] at approximately [time].

3. I served [party title], [full name], with the document[s] described below by posting the document[s] via Express Post to the [party title]'s address for service at [address] on [date of service] at approximately [time].

4. I served [party title], [full name], with the document[s] described below by sending them as an attachment to an email addressed to the [party title]'s address for service, [email address], on [date] at [time].

5. The document(s) served already on the Court file is/are as follows:

[document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]
 [document description], dated [date], FDN [FDM]

6. The document(s) served not on the Court file is/are as follows:

- [document description], dated [date]
- [document description], dated [date]
- [document description], dated [date]
- [document description], dated [date]

7. Only select if paragraph 5 only selected above The document[s] served not on the Court file [is/are] exhibited to this affidavit and marked [exhibit number].

8. [any other matter(s)].

[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

.....
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).