

APPROVED DESTINATION STATUS (ADS) SCHEME

MAKING A STATUTORY DECLARATION

How to make a statutory declaration as part of your application to join the ADS scheme.

How do I make a statutory declaration?

To complete a statutory declaration you will need to have someone on the list of authorised witnesses watch you sign the completed form. They will also need to sign it.

The full list of authorised witnesses is included on the statutory declaration form as well as being listed below. An authorised witness can include someone such as a doctor, teacher, pharmacist, bank officer or a vet.

You can find a copy of the Commonwealth Statutory Declaration form on the tour guides page of the ADS website as well as on the Attorney-General's Department website.

Who can make a statutory declaration?

Anyone may make a Commonwealth statutory declaration, provided they understand:

- › what a statutory declaration is
- › that everything they state in the form must be true
- › the consequences of making a false declaration.

It is a good idea to check with the organisation requesting the statutory declaration whether they have any requirements or limitations.

What if I live overseas?

You will need to find a witness who is both:

- › On the list of authorised witnesses below AND
- › Has a connection with Australia.

For example, a doctor who is registered to practise medicine in Australia can witness your declaration, but a doctor who is not registered in Australia cannot.

You can find someone who is an authorised witness at the nearest Australian Embassy, High Commission or Consulate in your country.

Please note: It is important not to make a false statement in a statutory declaration. This is a serious issue. You may be charged with a criminal offence which carries the possibility of a fine or even jail.

For more information:
email ads@austrade.gov.au
phone 1800 048 155
or visit austrade.gov.au

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List of authorised witness

A statutory declaration may be made before a person on the list of authorised witnesses in the *Statutory Declarations Regulations 1993*:

1. A person who is currently licensed or registered under a law of a State or Territory to practice in one of the following occupations:
 - › Chiropractor
 - › Dentist
 - › Legal practitioner
 - › Medical practitioner
 - › Nurse
 - › Optometrist
 - › Patent attorney
 - › Pharmacist
 - › Physiotherapist
 - › Psychologist
 - › Trade marks attorney
 - › Veterinary surgeon
2. 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); or
3. A person who is in the following list:
 - › Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - › Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
 - › Bailiff
 - › Bank officer with 5 or more continuous years of service
 - › Building society officer with 5 or more years of continuous service
 - › Chief executive officer of a Commonwealth court
 - › Clerk of a court
 - › Commissioner for Affidavits
 - › Commissioner for Declarations
 - › Credit union officer with 5 or more years of continuous service
 - › Employee of the Australian Trade Commission who is:
 - in a country or place outside Australia; and
 - authorised under paragraph 3(d) of the Consular Fees Act 1955; and
 - exercising his or her function in that place
 - › Employee of the Commonwealth who is:
 - in a country or place outside Australia; and
 - authorised under paragraph 3(c) of the Consular Fees Act 1955; and
 - exercising his or her function in that place
 - › Fellow of the National Tax Accountants' Association
 - › Finance company officer with 5 or more years of continuous service
 - › Holder of a statutory office not specified in another item in this list
 - › Judge of a court
 - › Justice of the Peace
 - › Magistrate
 - › Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
 - › Master of a court
 - › Member of Chartered Secretaries Australia
 - › Member of Engineers Australia, other than at the grade of student
 - › Member of the Association of Taxation and Management Accountants

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- › Member of the Australasian Institute of Mining and Metallurgy
- › Member of the Australian Defence Force who is:
 - an officer; or
 - a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or
 - a warrant officer within the meaning of that Act
- › Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
- › Member of:
 - the Parliament of the Commonwealth; or
 - the Parliament of a State; or
 - a Territory legislature; or
 - a local government authority of a State or Territory
- › Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
- › Notary public
- › 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
- › Permanent employee of:
 - the Commonwealth or a Commonwealth authority; or
 - a State or Territory or a State or Territory authority; or
 - a local government authority;with 5 or more years of continuous service who is not specified in another item in this list
- › Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- › Police officer
- › Registrar, or Deputy Registrar, of a court
- › Senior Executive Service employee of:
 - the Commonwealth or a Commonwealth authority; or
 - a State or Territory or a State or Territory authority
- › Sheriff
- › Sheriff's officer
- › Teacher employed on a full-time basis at a school or tertiary education institution

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