

STATUTORY DECLARATIONS.

No. 3 of 1911.

An Act relating to Statutory Declarations.

[Assented to 14th October, 1911.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Statutory Declarations Act* 1911. Short title.

2. In this Act, unless the contrary intention appears—

“Commissioner for Affidavits” means a person authorized under the law of the Commonwealth or of a State to take affidavits :

“Commissioner for Declarations” means a person appointed under this Act or under a State Act to be a Commissioner for Declarations :

“Statutory regulation” means a regulation made in pursuance of any Act or Ordinance.

Definitions.

3.—(1.) Any person may, if he so desires, make a statutory declaration in relation to any matter.

Authority to make and use statutory declarations.

(2.) Subject to sub-section (3) of this section, a statutory declaration may, unless the contrary intention appears in the Act, Ordinance, or statutory regulation, be used for any purpose or in connexion with any matter arising under any Act, Ordinance, or statutory regulation, or in connexion with the administration of any Commonwealth Department.

(3.) Sub-section (2) of this section shall not be taken to authorize a statutory declaration to be used as evidence in judicial proceedings, but nothing in this section shall be construed to prevent any statutory declaration from being so used.

4. Where in any Act, Ordinance, or statutory regulation (whether passed or made before or after the commencement of this Act) a reference is made to a statutory declaration, the reference shall, unless the contrary intention appears in the Act, Ordinance, or regulation, include a reference to a statutory declaration made by virtue of this Act.

References to statutory declarations.

Form of
statutory
declaration.

5. A statutory declaration may be in accordance with the form in the Schedule, and may be made before—

- (a) a Police, Stipendiary, or Special Magistrate, or a Justice of the Peace, or
- (b) a Commissioner for Affidavits, or
- (c) a Commissioner for Declarations.

Commissioners
for Declarations.

6. The Attorney-General may appoint persons to be Commissioners for Declarations who shall hold office during his pleasure.

Declarations
under Acts.

7. Where in any Act, Ordinance, or statutory regulation (whether passed or made before or after the commencement of this Act), any declaration is required to be made by any person before some other person, the declaration may, unless the contrary intention appears in the Act, Ordinance, or regulation, be made before the person mentioned in the Act, Ordinance, or regulation or before a Commissioner for Declarations.

Penalty for false
declaration.
Cf. 1901, No. 4,
s. 68.

8. Any person who wilfully makes any false statement in a statutory declaration shall be guilty of an indictable offence.

Penalty : Four years' imprisonment.

THE SCHEDULE.

COMMONWEALTH OF AUSTRALIA.

STATUTORY DECLARATION.

I, (1)
declare (2)
And I make this solemn declaration by virtue of the *Statutory Declarations Act*
1911 conscientiously believing the statements contained therein to be true in every
particular.
(3)
Declared at _____ the
day of _____ 19 . . .
Before me,
(4)
(5)

- (1) Here insert name, address, and occupation of person making the declaration.
- (2) Here insert matter declared to. Where the matter is long it should be set out in numbered paragraphs.
- (3) Signature of person making the declaration.
- (4) Signature of person before whom the declaration is made.
- (5) Here insert title of person before whom the declaration is made.

NOTE.—Any person who wilfully makes a false statement in a statutory declaration is guilty of an indictable offence, and is liable to imprisonment, with or without hard labour, for four years.