Form 1

Oaths Act 1867 (sections 13C, 13E, 14)
Version 2: approved for use from 30 April 2022

Statutory Declaration (Queensland) Electronic Version

This form allows you to make a statutory declaration under the *Oaths Act 1867* in Queensland. A statutory declaration is a written statement that is declared to be true in the presence of an authorised witness. In this document, you are referred to as the **signatory or declarant**.

Making a false statement in a statutory declaration is a criminal offence. If your statutory declaration is based on information or belief, you should state the sources of your information or the grounds for your belief. You can also attach documents to your statutory declaration to support your statement.

At the back of this form, you will find an explanatory guide about who can witness your statutory declaration. In some cases, you may need a **special witness** to witness your statutory declaration.

You can print this document and sign it on paper before any authorised witness. **You can electronically sign this document only if it is witnessed by a special witness or other authorised person**. **You can have this document witnessed over audio visual link (e.g. videoconference) only if it is witnessed by a special witness or other authorised person.**

You may direct another person to sign your statutory declaration for you – this person is called a **substitute signatory**. The witness must observe you directing the substitute signatory to sign the document for you. At the back of this form, you will find an explanatory guide about who can act as your substitute signatory, and who can witness your statutory declaration if a substitute signatory signs for you.

Forms and explanatory guides are available at
www.publications.qld.gov.au/dataset/statutory-declaration

Form 1
QUEENSLAND

Oaths Act 1867

STATUTORY DECLARATION

I, **Gary Neill** of **16 Seaport drive Launceston**, do solemnly and sincerely declare that:

1. Sealord King Reef Barramundi has not knowingly given false or misleading information to the person who carried out the Environmental Evaluation
2. Has given all relevant information to the person who carried out the Environmental Evaluation

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.

I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code.

I state that:

A. This declaration was made in the form of an electronic document.*[1]
B. This declaration was electronically signed.*[2]
C. This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.*[3]

*(*delete whichever statements are not applicable)*

DECLARED by

Gary Andrew Neill…….
[insert full name of declarant]

……
[signature of declarant]

at 175-177 Charles st Launceston……
[insert place where declarant is located]

……5th April 2023……
[date]

In the presence of:

Justine Tillack
……..
[insert full name of witness]

……
[signature of witness]

Executive Assistant
……..
[insert type of witness][4]

……5th April 2023……
[date]

Petuna Pty Ltd……..
[insert name of law practice / witness's place of employment]*[5]
**delete if not applicable*

For special witnesses to complete – Tick as applicable

☐ I am a **special witness** under the *Oaths Act 1867*.
(see section 12 of the Oaths Act 1867)

☒ This document was made in the form of an electronic document.[6]

☒ I electronically signed this document.[7]

☒ This statutory declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867* – I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.[8]

** IMPORTANT NOTE **

PLEASE COMPLETE THE NEXT PAGE TITLED
"*HOW THIS DOCUMENT WAS MADE*".
PLEASE ATTACH THIS PAGE TO YOUR STATUTORY DECLARATION.

The footnotes are to assist in the completion of the form and can be deleted once complete.

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[1] Include this statement if you electronically signed the document or if you physically signed the document over audio visual link and then sent a scanned copy of that document to the witness.

[2] Include this statement if you or your substitute signatory electronically sign the document using an accepted method under the *Oaths Act 1867*. Do not include this statement if you signed the document on paper.

[3] Include this statement if the document was made over audio visual link.

[4] Insert the witness's capacity that makes them eligible to witness the statutory declaration, including as a special witness under section 16C or part 6A of the *Oaths Act 1867*. For example, Australian legal practitioner, lawyer, justice of the peace, commissioner for declarations, notary public, a justice of the peace or commissioner for declarations approved by the Chief Executive under section 12(2) of the *Oaths Act 1867*, government legal officer, etc.

[5] For example, the name of the law practice for the Australian legal practitioner, the name of the government department of the government legal officer, the name of the law practice for a justice of the peace who witnesses documents for a law practice, etc.

[6] Tick this box if you electronically signed the document or if you physically signed the document and sent a scanned copy of that document to the declarant.

[7] This this box if you electronically sign the document using an accepted method under the *Oaths Act 1867*. Do not include this statement if you signed the document on paper.

[8] Tick this box if the statutory declaration was made over audio visual link.

HOW THIS DOCUMENT WAS MADE

Please attach this page to your statutory declaration

NOTE: FAILURE TO COMPLETE THIS TABLE DOES NOT INVALIDATE THE DOCUMENT

The signatory (declarant) or substitute signatory must complete this section

SIGNATORY / SUBSTITUTE SIGNATORY to complete	
Who signed this declaration?	
☒	the signatory (declarant)
☐	a substitute signatory
How did the signatory/substitute signatory sign?	
☐	on paper
☒	electronically
How was this declaration witnessed?	
☒	in person
☐	over audio visual link

The witness must complete this section

WITNESS to complete	
How did you (the witness) sign this document?	
☐	on paper
☒	electronically
What document did you (the witness) sign?	
☒	The same physical (paper) document that was signed in the presence of the signatory/substitute signatory
☐	A copy of the document that was signed by the signatory/substitute signatory (e.g a scanned copy of a paper signed document, a photocopy or printout)
☐	A counterpart of the document (a copy of the document without the signature of the signatory/substitute signatory)
What form of document did you (the witness) sign?	
☐	paper
☒	electronic (tick this if you electronically signed the document or if you physically signed a copy of the document signed by the signatory/substitute signatory and then sent a scanned copy of that document to the signatory or other person)
How was the substitute signatory directed to sign (if applicable)?	
☐	in person by the signatory
☐	over audio visual link by the signatory

This is a guide only and is intended to provide general information. Please delete once complete.

WHO CAN WITNESS A STATUTORY DECLARATION IN QUEENSLAND

A statutory declaration under the *Oaths Act 1867* in Queensland must be signed in the presence of an eligible witness. Who can witness a statutory declaration depends on how the document is signed (whether on paper or electronically), and whether the witness is present in person or by audio visual link.

Signing in the physical presence of witness

If the statutory declaration is to be signed on paper and in person, the witness can be:

- a justice of the peace (JP)
- a commissioner for declarations (Cdec)
- a notary public
- a lawyer
- a conveyancer, or another person authorised to administer an oath, under the law of the State, the Commonwealth or another State
- another person prescribed by regulation.

Signing electronically or witnessing over audio visual link

If the statutory declaration is to be:

- signed electronically (whether witnessed in person or by audio visual link); or
- witnessed over audio visual link (whether signed on paper or electronically),

the witness must be a **special witness** or **another person prescribed by regulation**.

A **special witness** is:

- an Australian legal practitioner
- a government legal officer who is an Australian lawyer and who witnesses documents in the course of the government work engaged in by the officer
- an **approved** JP
- an **approved** Cdec
- if the document was prepared by a law practice – a JP or Cdec who is employed by the law practice and who witnesses documents in the course of that employment
- a notary public
- if the document was prepared by the Public Trustee of Queensland - a JP or Cdec who is an employee of the Public Trustee.

WHO CAN SIGN A STATUTORY DECLARATION AS A SUBSTITUTE SIGNATORY

A substitute signatory is a person directed by the signatory to sign the statutory declaration on their behalf. The person who witnesses the statutory declaration must also observe the signatory giving the direction to the substitute signatory – this may occur in person or by audio visual link.

Who can't be a substitute signatory

If your declaration is to be witnessed over audio visual link or you are directing another person by audio visual link to sign the document for you, the following persons are excluded from signing as a substitute signatory:

- If the statutory declaration is to be used in a court or tribunal proceeding – a person who is another party to the proceeding, or a relation of a person who is another party to the proceeding.
- The person who witnesses the statutory declaration
- A person excluded under any other law from signing the document as a substitute signatory.

Who can be a substitute signatory

- Any adult with capacity can be a substitute signatory, except for those persons excluded above.
- If the signatory directs the substitute signatory over audio visual link to sign the document (i.e. they are not physically in each other's presence when the direction is given), then the substitute signatory must be:
    - any Australian legal practitioner
    - a government legal officer who is an Australian lawyer and who witnesses documents in the course of the government work engaged in by the officer
    - an employee of the Public Trustee of Queensland.

Note that whenever audio visual links are used to make, sign or witness a document (regardless of whether the witness or substitute signatory is present by audio visual link), the document must be witnessed by a **special witness** (refer above).