

Statutory Declaration Checklist

Use this checklist before signing a statutory declaration to help ensure your document is legally valid and properly witnessed.

Statutory Declaration Requirements Checklist

Requirement	Completed
The declaration clearly states the facts being declared	<input type="checkbox"/>
The wording required by the relevant Commonwealth or state legislation has been included	<input type="checkbox"/>
The information provided is accurate and truthful	<input type="checkbox"/>
The declaration includes the full name and address of the declarant	<input type="checkbox"/>
The declarant has signed the document	<input type="checkbox"/>
The declaration includes the date it was signed	<input type="checkbox"/>
The declaration includes the place where it was signed	<input type="checkbox"/>
The authorised witness was physically or virtually present during the signing	<input type="checkbox"/>
The witness observed the declarant signing the document	<input type="checkbox"/>
The witness observed the declarant verbally making the declaration	<input type="checkbox"/>
The witness signed the document	<input type="checkbox"/>
The witness included their full name	<input type="checkbox"/>
The witness included their qualification or authorised capacity	<input type="checkbox"/>
The witness included their contact details	<input type="checkbox"/>
Any required registration number or professional identifier has been included	<input type="checkbox"/>

Witnessing Requirements Checklist

For a statutory declaration to be valid, the witness must meet all legal witnessing requirements.

Witnessing Requirement	Completed
The witness is authorised under the relevant legislation	<input type="checkbox"/>
The witness was present when the declaration was signed	<input type="checkbox"/>
The witness heard the declarant make the declaration	<input type="checkbox"/>
The witness confirmed the declaration was made in their presence	<input type="checkbox"/>
The witness completed all required witness details	<input type="checkbox"/>

Authorised Witnesses

A statutory declaration can usually be witnessed by people in approved occupations or professions, including:

Approved Licensed or Registered Occupations

- Architects
- Chiropractors
- Dentists
- Financial advisers
- Financial planners
- Legal practitioners
- Medical practitioners
- Midwife
- Migration agents
- Nurses
- Occupational therapists
- Optometrists
- Patent attorneys
- Pharmacists
- Physiotherapists
- Psychologists
- Trade marks attorneys
- Veterinary surgeons

Approved Australian Positions

A person can be considered an approved witness if, at the time they witness your Commonwealth statutory declaration, they hold one of the following Australian positions:

- Accountant who is a fellow of the National Tax Accountants' Association or a member of relevant organisations
- Agent of the Australian Postal Corporation
- APS employee
- Australian Consular Officer or Australian Diplomatic Officer
- Bailiff
- Bank officer
- Building society officer
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer
- Permanent employee of a Commonwealth authority
- Employee of the Australian Trade and Investment Commission who is:
 - in a country or place outside Australia; and
 - authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
 - exercising the employee's function at that place
- Employee of the Commonwealth who is:
 - at a place outside Australia; and
 - authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
 - exercising the employee's function at that place
- Engineer who is a member of Engineers Australia but not a student or a registered professional engineer
- Finance company officer
- Holder of a statutory office
- Judge
- Justice of the Peace
- Magistrate
- Marriage celebrant
- Master of a court
- Member of the Australian Defence Force who is either:
 - an officer
 - a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service
 - a warrant officer within the meaning of that Act
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Governance Institute of Australia Ltd
- Member of either:

- the Parliament of the Commonwealth
- the Parliament of a state
- a territory legislature
- a local government authority
- Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
- Notary public, including a notary public (however described) exercising functions at a place outside the:
 - Commonwealth
 - external territories of the Commonwealth
- Permanent employee of the Australian Postal Corporation
- Permanent employee of a state or territory
- Permanent employee of a local government authority
- 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 employee of a Commonwealth authority
- Senior executive employee of a state or territory
- SES [senior executive service] employee of the Commonwealth Sheriff
- Sheriff's officer
- Teacher