SUPREME[[1]](#endnote-1) COURT OF QUEENSLAND

REGISTRY:

NUMBER:

In the matter of the *(insert relevant Act)*

and

In the matter of moneys paid into court by the defendant in claim *(number/year)* between *(insert name)* as plaintiff[[2]](#endnote-2) and *(insert name)* as defendant[[3]](#endnote-3)

**AFFIDAVIT ACCOMPANYING PAYMENT INTO COURT**

*(Full name of deponent)* of (*residential or business address, or place of employment)*, *(occupation or other description)* states on oath [or: solemnly and sincerely affirms and declares]:

1. I am *(for example, the solicitor for the defendant)*

2. On *(date)* Justice X *(or as the case may be)* ordered the defendant to pay $ *(amount)* into court on or before *(date)* as a condition of his/her right to defend the plaintiff’s claim.

3. I hold the defendant’s instructions to pay $(amount)into court pursuant to the order.

4. I request the Registrar to receive these moneys.

***If the affidavit extends over more than one page, at the foot of the first and every other page except the last:***

|  |  |
| --- | --- |
| …………………………………………..  Deponent | …………………………………………..  Witness |

***At the end of the body of the affidavit***

***[If this affidavit is being sworn in accordance with the Oaths Act 1867 requirements before a special witness (either remotely and/or using electronic signature/s) DO NOT USE the contents below. INSTEAD use Form 001A Special Witness Jurat for Uniform Civil Procedure Rules 1999 forms.] \****

***\*delete instructions***

|  |
| --- |
| **The contents of this affidavit are true, except where they are stated on the basis of information and belief, in which case they are true to the best of my knowledge.**  **I understand that a person who provides a false matter in an affidavit commits an offence.** |

|  |  |  |  |
| --- | --- | --- | --- |
| **SWORN / AFFIRMED** by    …………………………………….  [insert full name of deponent]  at……………………………….  [insert place where deponent is located] | )  )  )  )  )  )  )  ) | | …………………………………….  [signature of deponent]  …………………………………….  [date] |
| **BEFORE ME:**  …………………………………….  [insert full name of witness]  …………………………………….  [insert type of witness][[4]](#endnote-4)  …………………………………….  [insert witness’s place of employment]\*[[5]](#endnote-5)  \**delete if not applicable* | )  )  )  )  )  )  )  )  )  )  )  )  )  ) | ………………………………….  [signature of witness]  …………………………………….  [date] | |

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit. (*If required: see R. 433(1)].*

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit, but was physically incapable of signing it. *(If required: see R.433(2)].*

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

1. For an application in the District Court or a Magistrates Court, substitute “District Court” or “Magistrates Courts” respectively [↑](#endnote-ref-1)
2. For proceedings commenced by Originating Application for “Plaintiff” substitute “Applicant”. [↑](#endnote-ref-2)
3. For proceedings commenced by Originating Application for “Defendant” substitute “Respondent”. [↑](#endnote-ref-3)
4. Insert the witness’s capacity that makes them eligible to witness the affidavit under s16A Oaths Act 1867. For example, lawyer, justice of the peace, commissioner for declarations [↑](#endnote-ref-4)
5. For example, the name of the law practice for the lawyer, 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 [↑](#endnote-ref-5)