

# FORM DV01E

Oaths Act 1867 (s. 12)

## Special Witness Statutory Declaration for DV Forms

The following is to be inserted, where indicated, in the relevant Domestic Violence court form containing a statutory declaration

The applicant, except if a member of the Queensland Police Service, must sign this application in the presence of a special witness as defined by the *Oaths Act 1867*.

I,  the applicant, do solemnly and sincerely declare the contents of this application are true 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 understand that a person who provides a false matter in a declaration commits an offence.**

I state that: (*\*delete whichever statements are not applicable*)

- A.  This declaration was made in the form of an electronic document.\*<sup>1</sup>  
B.  This declaration was electronically signed.\*<sup>2</sup>  
C.  This declaration was made, signed and witnessed under part 6A of the *Oaths Act 1867*.\*<sup>3</sup>

Declared by  at  on   
[insert full name of declarant]

Signed for and at the direction of the declarant by\*  \* delete if not applicable  
[insert full name of substitute signatory]\*

Signature of declarant / substitute signatory\*

In the presence of   on   
[insert full name of witness] [insert type of witness]<sup>4</sup>

\* delete if not applicable  
[insert name of law practice / witness's place of employment]\*<sup>5</sup>

Signature of witness

**For special witnesses or other prescribed persons to complete – Tick as applicable**

- I am a **special witness** or another prescribed person under the *Oaths Act 1867*. (see sections 12, 16C and 31S of the *Oaths Act 1867*)
- This document was made in the form of an electronic document.<sup>6</sup>
- I electronically signed this document.<sup>7</sup>
- 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.<sup>8</sup>
- I am applying for a temporary protection order before the respondent has been served with a copy of the application and have not been able to have my statutory declaration witnessed as required under the *Oaths Act 1867* due to the urgency of the application. I am submitting an unverified application

and am aware that my application will need to be verified before the application can be decided.  
(This option is not available if you are the respondent to the protection order).

**Queensland Police Service Applicant**

***The applicant, if a member of the Queensland Police Service, must sign this application and provide the details below:***

Full Name and Rank:	<input type="text"/>
Registration No:	<input type="text"/>
Signature:	<input type="text"/>
Date:	<input type="text"/>

**Notes to the respondent**

If you do not appear in court a domestic violence order may be made in your absence.  
The court may issue a warrant for you to be taken into custody by a police officer and brought before the court if the court believes that it is necessary for you to be heard.

**Office Use Only**

**Court file number (if known):**

YOU ARE NOTIFIED that this application will be heard at the time and place as follows:

Court:

Place:

Date:

Time:

Signature  
Clerk of the Court/Queensland Police Service

Explanatory guides relating to making a statutory declaration in Queensland are available at [Statutory Declaration Forms - Datasets | Publications | Queensland Government](#).

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> Include this statement if the document was made over audio visual link.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> Tick 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.

<sup>8</sup> Tick this box if the statutory declaration was made over audio visual link.