

FORM DV01D

Oaths Act 1867 (s.12)

Special Witness Jurat for DV Affidavit Forms

The following is to be inserted where indicated in the relevant Domestic Violence court form containing an affidavit *

*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.

I state that:

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

(*delete whichever statements are not applicable)

SWORN / AFFIRMED by)
.....)
[insert full name of deponent]) [signature of deponent /
) substitute signatory*]
at)
[insert place where deponent is located]) [date]

[Signed for and at the direction of the deponent by]*
[.....]*
[insert full name of substitute signatory]*

*delete if not applicable

BEFORE ME:)
.....)
[insert full name of witness]) [signature of witness]
.....)
[insert type of witness]⁴)
.....)
) [date]
)
)

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

WITNESS to complete – Tick as applicable

If deponent is unable to sign the affidavit

- A substitute signatory signed for and at the direction of the deponent.⁶

For special witnesses only

- 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 affidavit was made in the form of an electronic document.⁷
- I electronically signed this affidavit.⁸
- This affidavit 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.⁹

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

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 affidavit was made over audio visual link.

⁴ Insert the witness's capacity that makes them eligible to witness the affidavit, 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 the deponent directed a substitute signatory to sign for them.

⁷ 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 deponent.

⁸ Tick this box if you electronically sign the affidavit using an accepted method under the *Oaths Act 1867*. Do not include this statement if you signed the affidavit on paper.

⁹ Tick this box if the affidavit was made over audio visual link.