

HOW TO WITNESS A STATUTORY DECLARATION

STEP 1: ENSURE THAT THE DOCUMENT IS PREPARED AND SIGNED CORRECTLY

- The declaration must be in the approved format as found on this website
- The declaration must be fully completed and signed
- Any alteration, such as an insertion or erasure, must be initialled

STEP 2: TAKE AN ORAL DECLARATION

You must ask the person to declare orally:

- That he or she is the person who made the declaration
- That the contents of the declaration are true
- That the signature is his or hers
- If necessary, that any attachment to the declaration is the attachment referred to in it

STEP 3: WITNESS THE STATUTORY DECLARATION

After the person has given the oral declaration, you must:

- Sign the declaration
- Sign or initial any alteration that has been made
- Clearly write your name and qualification as a witness. A rubber stamp containing this information may be used

IMPORTANT POINTS

- As a witness, you do not need to be concerned with the accuracy or truthfulness of the declaration. You are simply witnessing the declaration of the maker.
- NEVER SIGN A BLANK FORM. It is a good practice to rule a diagonal line across any blank space to ensure nothing is added at a later date.
- You do not have to witness the signing of the declaration. This is because the person orally declares that the signature is his or hers.
- Rubber stamp signatures must not be used. However, a rubber stamp of your name and qualification as a witness is acceptable.
- The validity of a statutory declaration is not affected by the fact that the procedure is not followed exactly, as long as the procedures have been substantially complied with.
- A statutory declaration relating to a law of the Commonwealth must be made on the approved form under the *Statutory Declarations Act 1959* (a Commonwealth Act). An authorised witness for Western Australia may also witness a Commonwealth Statutory Declaration, as long as they are in Western Australia at the time of witnessing.