



# **Statutory Declarations Regulations 1993**

**Statutory Rules 1993 No. 156 as amended**

made under the

*Statutory Declarations Act 1959*

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This compilation was prepared on 18 September 2003  
taking into account amendments up to SR 2003 No. 238

Prepared by the Office of Legislative Drafting,  
Attorney-General's Department, Canberra

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**1 Name of Regulations** [see Note 1]

These Regulations are the *Statutory Declarations Regulations 1993*.

**2 Interpretation**

In these Regulations, unless the contrary intention appears:  
*Act* means the *Statutory Declarations Act 1959*.

**3 Persons before whom a statutory declaration may be made — paragraph 8 (b) of the Act**

For the purposes of paragraph 8 (b) of the Act, the following persons are prescribed:

- (a) a person who is authorised under a law in force in a State or Territory to practise as a member of a profession listed in Part 1 in the Schedule;
- (b) a person listed in Part 2 in the Schedule.

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## **Schedule**

# **Persons before whom a Statutory Declaration may be made**

(regulation 3)

### **Part 1**

### **Members of certain professions**

Chiropractor  
Dentist  
Legal practitioner  
Medical practitioner  
Nurse  
Patent attorney  
Pharmacist  
Physiotherapist  
Psychologist  
Trade marks attorney  
Veterinary surgeon

### **Part 2**

### **Other persons**

Agent of the Australian Postal Corporation who is in charge of  
an office supplying postal services to the public  
Australian Consular Officer, or Australian Diplomatic Officer,  
(within the meaning of the *Consular Fees Act 1955*)  
Bailiff  
Bank officer with 5 or more continuous years of service  
Building society officer with 5 or more years of continuous  
service  
Chief executive officer of a Commonwealth court  
Civil marriage celebrant  
Clerk of a court  
Commissioner for Affidavits  
Commissioner for Declarations

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade Commission who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Employee of the Commonwealth who is:

- (a) in a country or place outside Australia; and
- (b) authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; and
- (c) exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this Part

Judge of a court

Justice of the Peace

Magistrate

Master of a court

Member of Chartered Secretaries Australia

Member of the Association of Taxation and Management Accountants

Member of the Australian Defence Force who is:

- (a) an officer; or
- (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- (c) warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of the Institution of Engineers, Australia, other than at the grade of student

Member of:

- (a) the Parliament of the Commonwealth; or

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- (b) the Parliament of a State; or
  - (c) a Territory legislature; or
  - (d) a local government authority of a State or Territory
- Minister of religion registered under Division 1 of Part IV of the *Marriage Act 1961*
- Notary public
- Permanent employee of:
- (a) the Commonwealth or of a Commonwealth authority; or
  - (b) a State or Territory or of a State or Territory authority; or
  - (c) a local government authority;
- with 5 or more years of continuous service who is not specified in another item in this Part
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
- 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 Service officer of the Commonwealth, or of a State or Territory, or of a Commonwealth, State or Territory authority
- Sheriff
- Sheriff's officer
- Teacher employed on a full-time basis at a school or tertiary education institution

**Table of Statutory Rules**

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**Notes to the *Statutory Declarations Regulations 1993***

**Note 1**

The *Statutory Declarations Regulations 1993* (in force under the *Statutory Declarations Act 1959*) as shown in this compilation comprise Statutory Rules 1993 No. 156 amended as indicated in the Tables below.

**Table of Statutory Rules**

| <b>Year and number</b> | <b>Date of notification in <i>Gazette</i></b> | <b>Date of commencement</b> | <b>Application, saving or transitional provisions</b> |
|------------------------|---|-----------------------------|---|
| 1993 No. 156           | 29 June 1993                                  | 29 June 1993                |   |
| 1997 No. 339           | 3 Dec 1997                                    | 3 Dec 1997                  | —   |
| 2002 No. 70            | 18 Apr 2002                                   | 18 Apr 2002                 | —   |
| 2003 No. 238           | 18 Sept 2003                                  | 18 Sept 2003                | —   |

**Table of Amendments**

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**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

| <b>Provision affected</b> | <b>How affected</b>                         |
|---------------------------|---|
| R. 1 .....                | rs. 2002 No. 70                             |
| R. 4 .....                | rep. 2003 No. 238                           |
| <b>Schedule</b>           |   |
| Schedule.....             | am. 1997 No. 339; 2002 No. 70; 2003 No. 238 |