# STATUTORY DECLARATION – PERSONAL AND CARER’S LEAVE

The following letter template(s) should be used as a guide only. Any wording changes, other than those to insert a company or a person’s name(s), may change the context, meaning or purpose of the template and we recommend you receive advice from our Workplace Relations Consultants prior to making such changes.

## Contacting the Victorian Chamber of Commerce and Industry

The Victorian Chamber’s team of experienced workplace relations advisors can assist members with a range of employment, human resources and industrial relations issues.

Our experienced workplace relations consultants can also provide assistance to both members and non-members on a range of more complex matters for a fee-for-service. The consultants can, among other things, provide training to employees, conduct investigations and provide representation at proceedings at the Fair Work Commission.

For assistance or more information, please contact the Workplace Relations Advice Line on (03) 8662 5222.

Disclaimer

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# STATUTORY DECLARATION – PERSONAL AND CARER’S LEAVE

I \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Full Name*)

of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*address*)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ do solemnly and sincerely declare that:

(*occupation*)

|  |
| --- |
| **I request Personal/Carer’s Leave as I am the primary caregiver of my family member,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.****The period of leave being from** \_\_\_\_\_**/**\_\_\_\_\_**/**\_\_\_\_ **to** \_\_\_\_\_**/**\_\_\_\_\_**/**\_\_\_\_\_ **inclusive.****or****I did not attend work for the period of** \_\_\_\_\_**/**\_\_\_\_\_**/**\_\_\_\_ **to** \_\_\_\_\_**/**\_\_\_\_\_**/**\_\_\_\_\_ **inclusive due to the need to care for a family** **member,** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, **I am the primary caregiver of this family member.** |

I acknowledge that this declaration is true and correct and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

**Declared at** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**in the State of Victoria**

**this**\_\_\_\_\_\_\_\_ **day of** \_\_\_\_\_\_\_\_\_\_\_\_ **20** \_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***(Signature of person making declaration)***

Before me: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ***(Signature of authorised witness)***

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|  |

**The witness must print their name, address and their authority under section 107A of the *Evidence Act 1958* to witness a statutory declaration.**

## List of Authorised Witnesses

Under the [***Evidence Act* 1958 (VIC**](http://www.austlii.edu.au/au/legis/vic/consol_act/epa1958361/s107a.html)**),** there are many people who may witness the signing of a statutory declaration in Victoria:

a justice of the peace or a bail justice;

* a public notary;
* an Australian lawyer (within the meaning of the Legal Profession Act 2004);
* a clerk to an Australian lawyer;
* the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or the deputy registrar of the County Court, the principal registrar of the Magistrates' Court or the registrar or the deputy registrar of the Magistrates' Court;
* the registrar of probates and the assistant registrar of probates;
* the associate to a judge of the Supreme Court or of the County Court;
* the secretary of a master of the Supreme Court or of the County Court;
* a person registered as a patent attorney under Chapter 20 of the Patents Act 1990 of the Commonwealth;
* a member of the police force;
* the sheriff or deputy sheriff;
* a member or a former member of either House of the Parliament of Victoria;
* a member or a former member of either House of the Parliament of the Commonwealth;
* a councillor of a municipality;
* a senior officer of a council as defined in the Local Government Act 1989;
* a registered medical practitioner within the meaning of the Medical Practice Act 1994;
* a registered dentist within the meaning of the Dental Practice Act 1999;
* a veterinary practitioner;
* a pharmacist;
* a principal in the (State) teaching service;
* the manager of a bank;
* a member of the Institute of Chartered Accountants in Australia or CPA or the National Institute of Accountants;
* the secretary of a building society;
* a minister of religion authorised to celebrate marriages (not a civil celebrant);
* a person employed under Part 3 of the Public Administration Act 2004 with a classification that is prescribed as a classification for statutory declarations, or who holds office in a statutory authority with such a classification; or

a fellow of the Institute of Legal Executives (Victoria).