

How to prepare (format) a statutory declaration

This note sets out the basic requirements for what to include when you need to make or declare a statutory declaration. That is the wording you need to include to make a document into a statutory declaration.

There are 2 sets of words you need to include in any statutory declaration:

At the start of the declaration

I, [your full name] of [your residential address], do solemnly and sincerely declare that:

At the end of the declaration

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Declared by [your full name] at [place where the declaration is made] on [date] by

[your full name]

before me _____

a [Commissioner for Oaths][a person authorised to administer oaths][a solicitor][a notary public]

An example

See the next page for an example of a statutory declaration.

Some additional points

1. A statutory declaration must contain accurate and factual information. If you are expressing a belief about something (because you do not know for certain it is true or not, cannot check or do not have records), you should clearly identify your statement as an opinion¹.
2. Your name should appear as stated in your passport².
3. You should spell out fully any dates (e.g. not 1/9/2014, which in England will be 1 September 2014, but in the US will be 9 January 2014).

¹ If you are making declaration that you paid a penalty or fine and think it was made on 1 March 2014, but you cannot locate a copy of the letter accompanying the cheque or cannot locate in your bank statement the date of payment, you should not write 'I sent a cheque with a covering letter to pay the fine on 1 March 2014' but could write instead: 'I believe that I sent a cheque with a covering letter to pay the fine on or about 1 March 2014'. Obviously, you should have a genuine belief that you did pay the penalty/fine.

² Or if you are known by different names, nicknames etc then you should set them and the reasons or circumstances when the different names etc are used (if relevant to the matter for which the statutory declaration is to be used).

4. Use official or proper names for any job titles, positions, organisations, companies etc.
5. Be consistent, if you are stating a fact or using a name, title, etc more than once, use the same wording for each time you mention the fact, name, title etc³.
6. Use separate numbered paragraphs for each point you are making. Keep sentences short.

Example of a statutory declaration

Statutory Declaration

I, Charles Valentin Alkan of 5 Square d'Orléans, Paris, 5e, France, do solemnly and sincerely declare that:

1. that my République de France identity card number is 7652309 and that I was born on 1 January 1932;
2. that my normal residential address is at 5 Square d'Orléans, Paris, 5e, France (Home Address);
3. that I am resident at my Home Address in each year between 1 January and 30 May and then between 1 September and 31 December
4. that between 1 June and 30 August in each year I am on tour giving piano recitals and concerts in England and that I do not reside at the Home Address or visit France at all.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835.

Declared by Charles Valentin Alkan at _____

on _____ 2014 sby

Charles Valentin Alkan

before me _____

a [Commissioner for Oaths][a person authorised to administer oaths][a solicitor][a notary public]

³ This is to avoid any confusion or doubt in the person/organisation receiving the statutory declaration as to what you are referring to. For example, if you are referring to Her Majesty's Revenue and Customs, you should call it that once, and then use 'tax office', the 'office', the 'tax people' etc, but always the same designation (Her Majesty's Revenue and Customs). With a longer names/titles etc, use a definition. The first time type 'Her Majesty's Revenue and Customs (HMRC)', and then subsequently 'HMRC').

