Magistrates’ Court General Civil Procedure Rules 2010

**FORM 6A**

Rule 6.17

**AFFIDAVIT/DECLARATION OF SERVICE**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| IN THE MAGISTRATES’ COURT | | | | | | | | Court Reference: | |  |
| OF VICTORIA | | | | | | | | | | |
| AT | |  | | | |  | | | | |
|  | | | | | | | | | | |
| BETWEEN | | | |  | | | | | |  |
| Plaintiff | | | | | | | | | | |
|  | | | | | | | | | | |
| OF | | |  | | | | | | | |
|  | | | | | | | | | | |
| and | | | |  | | | | | |  |
| Defendant | | | | | | | | | | |
|  | | | | | | | | | | |
| OF | | |  | | | | | | | |
|  | | | | | | | | | | |
|  | | | | | | | | | | |
| Date of document: | | | | |  | | | |  |  |
| Filed on behalf of: | | | | |  | | | |  |  |
| Australian lawyer name: | | | | |  | | | | Code: |  |
| Address: | | | | |  | | | | Telephone: |  |
| Reference: |  |
|  | | | | | | | | | | |
|  |  | | | | | |  |  | | |
| I |  | | | | | |  |  | | |
|  | *(full name of the person serving document)* | | | | | |  | *(occupation)* | | |
| of |  | | | | | | | | | |
|  | *(address)* | | | | | | | | | |
| \*make oath and say | | | | | | | | | | |
| \*affirm and say | | | | | | | | | | |
| \*declare that | | | | | | | | | | |
| I served *(describe each document and whether it was a copy of a document or an original document)* | | | | | | | | | | |
|  | | | | | | | | | | |
|  | | | | | | | | | | |
| on |  | | | | | | | | | |
|  | *(name of the person served with document)* | | | | | | | | | |
|  | | | | | | | | | | |
| *(State all relevant information and facts as required by Rule 6.17(1) in numbered paragraphs which may include answers to the following:*   * *How did you identify the person you served and establish the person’s identity?* * *Was the person you served the person named in the document/s to be served?* * *At what time, day of the week and date did you serve the document/s on the person?* * *Where was the person served the document/s? For example, was it at the residence or the business of the person?* * *How was/were the documents/s served on the person? For example, by hand or by post?)* | | | | | | | | | | |
|  | | | | | | | | | | |
|  | | | | | | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | | | | |
|  | | | | |
| \*[*for affidavits*] The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury. | | | | |
|  | | | | |
| \*[*for statutory declarations*] I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence. | | | | |
|  | | | | |
| \*Sworn/Affirmed/Declared at *(place)* | |  | |  |
|  | |  | |  |
|  | | | | |
| In the State of Victoria on *(date)* | |  | |  |
|  | |  | |  |
|  | |  | |  |
|  | | | *(Signed by person)* | |
| Before |  | |  | |
|  | *(Signature)* | |  | |
|  | | | | |
|  | *(Name and address in legible writing, typing or stamp)* | | | |
|  | | | | |
| \*authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration. | | | | |
| \*authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit. | | | | |