

MAGISTRATE COURT OF QUEENSLAND

REGISTRY:
NUMBER:

Plaintiff¹: *(Insert Name)*

AND

[First] Defendant²: *(Insert Name)*

AND

[Second Defendant:] *(Insert Name)*

Cross out whichever does not apply to indicate if the document was sworn or affirmed.

AFFIDAVIT OF *[insert full name]*

SWORN/AFFIRMED ON *[insert date affidavit is Sworn/Affirmed]*

(Full name of deponent) of (residential or business address, or place of employment), (occupation or other description) states on oath [or: solemnly and sincerely affirms and declares]:

Ensure the affidavit indicates whether the document was sworn or affirmed.

1. I am etc
2. Exhibit A to this affidavit is etc

If the affidavit extends over more than one page, at the foot of the first and every other page except the last:

Page 1

.....
Deponent

.....
Witness

If the affidavit extends over more than one page, this footer must be included on the first and every other page except the last. Ensure you and the deponent, sign the bottom of each page of the affidavit.

AFFIDAVIT
Filed on Behalf of the (party)
Form 46, Version 2, approved on 25 August 2022
Uniform Civil Procedure Rules 1999
Rule 431

Name:
Address:
Phone No:
Fax No:
Email:

This certification at the end of an affidavit is called the jurat which stipulates where and when the affidavit was sworn or affirmed and by whom.

The contents of this affidavit are true, except where they are stated on the basis of information and belief, in which case they are true to the best of my knowledge.

I understand that a person who provides a false matter in an affidavit commits an offence.

Cross out whichever does not apply to indicate if the document was sworn or affirmed.

SWORN / AFFIRMED by)

.....)
[insert full name of deponent])

.....)
[signature of deponent]

at.....)
[insert place where deponent is located])

.....)
[date]

BEFORE ME:)

.....)
[insert your full name (including any given names).
This is a requirement of the *Oaths Act 1867*.])

[insert full name of witness])

.....)
[insert your qualification.
This is a requirement of the *Oaths Act 1867*.])

.....)
[signature of witness]

[insert type of witness]³)

.....)
[As a JP or Cdec, there is no requirement for you to insert the name of your employer unless you witness documents for your employer.])

.....)
[date]

[insert witness's place of employment] *⁴)

* delete if not applicable)

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit. (If required: see R. 433(1)).

[who certifies that the affidavit was read in the presence of the deponent who seemed to understand it, and signified that that person made the affidavit, but was physically incapable of signing it. (If required: see R.433(2)).

If annexures are introduced and described in the body of the affidavit, they must be attached to the affidavit and the certificate witnessed by the same witness to the affidavit.

MAGISTRATE COURT OF QUEENSLAND

REGISTRY:
NUMBER:

Plaintiff¹: *(Insert Name)*
AND
[First] Defendant²: *(Insert Name)*
AND
[Second Defendant:] *(Insert Name)*

Multiple exhibits can be bound with one certificate of exhibit listing all annexures. Depending on how the document has been prepared, each exhibit might have their own certificate which needs to be individually witnessed.

CERTIFICATE OF EXHIBIT

Cross out whichever does not apply to indicate if the document was sworn or affirmed.

Exhibit A to the affidavit of *(name of deponent)* sworn [affirmed] *(date)*:

or

Bound and marked A – Z are the exhibits to the affidavit of *(name of deponent)* sworn [affirmed] *(date)*.

Both you and the deponent must sign the certificate. The annexures themselves do not need to be individually signed or initialled.

Deponent / Substitute Signatory
(delete whichever is not applicable)

Witness
(Description of witness)

Insert your signature and place your seal of office or prescribed mark of office alongside your registration number.

Note:

- 1. If the affidavit is taken under r 433, the deponent does not sign.

1 For proceedings commenced by Originating Application for "Plaintiff" substitute "Applicant"
2 For proceedings commenced by Originating Application for "Defendant" substitute "Respondent"

CERTIFICATE OF EXHIBIT
Filed on Behalf of the *(party)*
Form 47, Version 3 – approved on 25 August
2022
Uniform Civil Procedure Rules 1999
Rule 435

Name:
Address:

Phone No:
Fax No:
Email: