



Statutory declaration by a supporting witness in relation to a Partner or Prospective Marriage visa application

About this form

This form must be completed by a person who:

- knows the visa applicant and their partner or fiancé(e) and the history of their relationship;
- is at least 18 years of age; and
- is an Australian citizen or Australian permanent resident.

Note: If the visa applicant is outside Australia and is unable to have an Australian citizen or Australian permanent resident complete this form, any person who knows the applicant and their partner or fiancé(e) may also complete this form.

The person completing this form must provide evidence of their current name, age and, where applicable, Australian citizenship or Australian permanent residency (for example, a certified copy of the birth certificate, Australian passport or passport containing a permanent visa). All copies must be certified.

Note: You may be asked to submit up to 3 separate declarations during the processing of the visa application. You may also be contacted for further comment and/or interview in relation to the information you provide.

Purpose of this form

When assessing a Partner or Prospective Marriage visa application, the Department of Home Affairs (the Department) must consider the social aspects of the claimed relationship. The Department will use the information provided in this form (your statements), among other things, to assess these aspects.

The Department's policy is that these statements be provided in the form of statutory declarations. You may use this form, or alternatively, you may use the statutory declaration template, which is available on the Attorney-General's Department website at www.ag.gov.au/pages/default.aspx

In Australia, statutory declarations must be witnessed by a person prescribed by the *Statutory Declarations Act 1959* and *Statutory Declarations Regulations 2018*. Any attachments to the Declaration must be certified by a prescribed person. Prescribed persons include those who are a:

- Justice of the Peace;
- medical practitioner;
- legal practitioner;
- civil marriage celebrant or registered minister of religion;
- dentist;
- nurse;
- optometrist;
- pharmacist;
- physiotherapist;
- teacher employed on a permanent full-time or part-time basis at a school or tertiary education institution;
- bank officer with 5 or more continuous years of service;
- permanent employee of the Australian Postal Corporation with 5 or more continuous years of service;
- police officer; or
- public servant engaged on an ongoing basis with 5 or more years of continuous service.

A full list of prescribed persons can be found on the Attorney-General's Department website.

Warning: Under the *Statutory Declarations Act 1959*, people who intentionally make a false statement in a statutory declaration are liable for punishment of 4 years imprisonment. In addition, the *Migration Act 1958* (the Act) provides penalties for providing false or misleading statements of 12 months imprisonment or a fine of AUD12,000.

If you are not an Australian citizen or permanent resident and you reside outside Australia, your statement cannot be considered a statutory declaration under Australian law, even if it is made using this form or the template provided by the Attorney-General's Department. However, under policy, your statement should be witnessed or certified according to the legal practices of the country in which you make the statement. Failing that, it should be witnessed by a person whose occupation or qualification is comparable to those listed above. This person should sign, date and specify their occupation at the bottom of the statement.

You should confirm the requirements with the nearest Australian mission overseas when you lodge your application. Contact details for Australian missions are available on the Department's website www.homeaffairs.gov.au/about/contact/offices-locations

Important information about privacy

The *Privacy Act 1988* contains 13 Australian Privacy Principles which regulate the way that the Department collects and handles personal information. Information about how the Department collects, uses and discloses personal information for its key functions can be found in form 1442i *Privacy notice*. More information about the Department's general information handling practices (including form 1442i) can be found in the Department's Privacy policy at <https://www.homeaffairs.gov.au/access-and-accountability/our-commitments/privacy>

Home page www.homeaffairs.gov.au

General enquiry line Telephone **131 881** during business hours in Australia to speak to an operator (recorded information available outside these hours). If you are outside Australia, please contact your nearest Australian mission.

Please keep this information page for your reference

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