

## GUIDELINES

A statement in the statutory declaration that the person is an Aboriginal person or a Torres Strait Islander within the meaning of the *Aboriginal and Torres Strait Islander Act 2005* (Cth) (ATSIA Act) is understood to be a claim to the effect that the person:

- is of Aboriginal or Torres Strait Islander descent, or both
- identifies as an Aboriginal person or Torres Strait Islander, or both and
- is recognised as such by their community.

**Any information provided by an applicant in relation to their claim to be an Aboriginal person or a Torres Strait Islander may be subject to verification by IBA. In doing so IBA may require the applicant to provide additional supporting evidence. The making of false or misleading statements in applications and statutory declarations is punishable under section 136 of the *Criminal Code Act 1995* (Cth) and section 11 of the *Statutory Declarations Act 1959* (Cth).**

## PRESCRIBED PERSONS WHO CAN WITNESS A STATUTORY DECLARATION

1. A person who is currently licensed or registered under a law to practise in one of the following occupations:
  - Architect
  - Chiropractor
  - Dentist
  - Financial adviser/planner
  - Legal practitioner
  - Medical practitioner
  - Midwife or Nurse
  - Occupational therapist
  - Optometrist
  - Patent/trademarks attorney
  - Pharmacist
  - Physiotherapist
  - Psychologist
  - Veterinary surgeon
2. A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or
3. A person who is in the following list:
  - Accountant who is:
    - (a) a fellow of the National Tax Accountants' Association or
    - (b) a member of any of the following:
      - (i) Chartered Accountants Australia and New Zealand
      - (ii) the Association of Taxation and Management Accountants
      - (iii) CPA Australia
      - (iv) the Institute of Public Accountants.
  - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
  - APS (Australian Psychological Society) employee engaged on an ongoing basis with 5 or more years of continuous service who is not specified in this list
  - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
  - Bailiff
  - Bank officer/Building Society officer/Credit Union officer with 5 or more years of continuous service
  - Chief executive officer of a Commonwealth court
  - Clerk of a court
  - Commissioner for Affidavits
  - Commissioner for Declarations
  - Employee of the Australian Trade and Investment Commission who is:
    - a) in a country or place outside Australia; and
    - b) authorised under paragraph 3(d) of the *Consular Fees Act 1955*; and
    - c) exercising his or her function in that place
  - Employee of the Commonwealth who is:
    - a) at a place outside Australia; and
    - b) authorised under paragraph 3(c) of the *Consular Fees Act 1955*; and
    - c) exercising his or her function in that place
  - Engineer who is:
    - (a) a member of Engineers Australia, other than at the grade of student; or
    - (b) a Registered Professional Engineer of Professionals Australia; or
    - (c) registered as an engineer under a law of the Commonwealth, a State or Territory; or
    - (d) registered on the National Engineering Register by Engineers Australia
  - Finance company officer with 5 or more years of continuous service
  - Holder of a statutory office not specified in this list
  - Judge of a court
  - Justice of the Peace
  - Magistrate
  - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*
  - Master of a court
  - Member of the Governance Institute of Australia Ltd
  - Member of the Australian Defence Force who is:
    - a) an officer; or
    - b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more continuous years of service; or
    - c) a warrant officer within the meaning of that Act
  - Member of the Australasian Institute of Mining and Metallurgy
  - Member of the Governance Institute of Australia Ltd
  - Member of:
    - a) the Parliament of the Commonwealth; or
    - b) the Parliament of a State; or
    - c) a Territory legislature; or
    - d) a local government authority of a State or Territory
  - Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*
  - Notary public
  - Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office providing postal services to the public
  - Permanent employee of:
    - a) the Commonwealth or Commonwealth authority; or
    - b) a State or Territory or a State or Territory authority; or
    - c) a local government authority; with 5 or more years of continuous service who is not specified in another item in this list
  - Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
  - Police officer
  - Registrar, or Deputy Registrar, of a court
  - Senior Executive employee of:
    - a) a Commonwealth authority; or
    - b) a State or Territory
  - Senior Executive Service employee of the Commonwealth
  - Sheriff
  - Sheriff's officer
  - Teacher employed on a permanent full-time basis at a school or tertiary education institution

## STATUTORY DECLARATION

Please use BLOCK CAPITAL LETTERS to fill in this form.

I,  First name  Middle name/s  Family name

also known as  Other names (for example, maiden, community or traditional name)

of  Current address

and  Occupation

make the following declaration under Section 9 of the *Statutory Declarations Act 1959*:

1. I am of Aboriginal or Torres Strait Islander descent, or both, **and**

2. I identify as an Aboriginal person or Torres Strait Islander, or both, **and**

Name of traditional area (nation, clan, tribe, or language group)

3. I am accepted as such by the   
in which I or my family currently live, or formerly lived.

Your signature **must** be witnessed by a prescribed witness. A full list of prescribed people is contained on page 1 of this form. The prescribed witness **must** state their qualification as required below.

I believe that the statements in this declaration are true in every particular, and I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, the punishment for which is imprisonment for a term of 4 years.

Signature of applicant  Email and/or phone number of applicant (person making the declaration)

Declared at  Place on  Date of  Month 20  Year

Observed by me  Signature of witness  Full name of witness (person observing the declaration being made)

Qualification of witness, e.g. architect, nurse

Address of witness

Email address and/or telephone number of witness

**Note 1:** A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for four years – see section 11 of the *Statutory Declarations Act 1959*.

**Note 2:** Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* – see section 5A of the *Statutory Declarations Act 1959*.

## PRIVACY ACKNOWLEDGEMENT AND CONSENT

IBA takes privacy seriously and is committed to protecting your personal information. We only collect, use and disclose your personal information for the purpose of performing our functions and activities, and in accordance with the *Privacy Act 1988* (Cth) (Privacy Act) and other applicable laws. Personal (including sensitive) information provided by you in this Aboriginal or Torres Strait Islander Descent Confirmation will be handled in accordance with IBA's Privacy Policy, available at [iba.gov.au](http://iba.gov.au). By submitting this Aboriginal or Torres Strait Islander Descent Confirmation to IBA, you:

- acknowledge that you have read and understood IBA's Privacy Policy at [iba.gov.au](http://iba.gov.au)
- consent to IBA collecting, using, storing, disclosing or exchanging your personal (including sensitive) information in accordance with IBA's Privacy Policy including to assess your eligibility for IBA assistance
- authorise, for the purposes of section 191 of the ATSI Act, IBA to disclose information and/or documents about you if disclosure is necessary in order for IBA to perform its functions or activities
- confirm that you are authorised to provide the personal details presented and you consent to your information being checked with the document issuer or official record holder via third party systems for the purpose of confirming your identity
- acknowledge that IBA will rely on the information you have provided to assess your application and you understand that any omission or false statement may result in rejection of this application, withdrawal of any approval for funding and/or termination of any finance agreement with IBA.