

GUIDELINES

Each Aboriginal person or Torres Strait Islander who applies for IBA assistance must complete a statutory declaration.

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* 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 evidence to support their claim to be an Aboriginal person or Torres Strait Islander.

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).

QUALIFICATIONS

A statutory declaration under the *Statutory Declarations Act 1959* may be made before:

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| <p>1. a person who is currently licensed or registered under a law to practise in one of the following occupations:</p> <p>1.1 Chiropractor</p> <p>1.2 Dentist</p> <p>1.3 Legal practitioner</p> <p>1.4 Medical practitioner</p> <p>1.5 Nurse</p> <p>1.6 Optometrist</p> <p>1.7 Patent attorney</p> <p>1.8 Pharmacist</p> <p>1.9 Physiotherapist</p> <p>1.10 Psychologist</p> <p>1.11 Trade marks attorney</p> <p>1.12 Veterinary surgeon</p> | <p>3.7 Chief executive officer of a Commonwealth court</p> <p>3.8 Clerk of a court</p> <p>3.9 Commissioner for Affidavits</p> <p>3.10 Commissioner for Declarations</p> <p>3.11 Employee of the Australian Trade Commission who is:</p> <p>a) in a country or place outside Australia, and</p> <p>b) authorised under paragraph 3(d) of the <i>Consular Fees Act 1955</i>, and</p> <p>c) exercising his or her function in that place</p> <p>3.12 Employee of the Commonwealth who is:</p> <p>a) in a country or place outside Australia, and</p> <p>b) authorised under paragraph 3(c) of the <i>Consular Fees Act 1955</i>, and</p> <p>c) exercising his or her function in that place</p> <p>3.13 Fellow of the National Tax Accountants' Association</p> <p>3.14 Finance company officer with 5 or more years of continuous service</p> <p>3.15 Holder of a statutory office not specified in this list</p> <p>3.16 Judge of a court</p> <p>3.17 Justice of the Peace</p> <p>3.18 Magistrate</p> <p>3.19 Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the <i>Marriage Act 1961</i></p> <p>3.20 Master of a court</p> | <p>3.21 Member of Chartered Secretaries Australia</p> <p>3.22 Member of Engineers Australia, other than at the grade of student</p> <p>3.23 Member of the Association of Taxation and Management Accountants</p> <p>3.24 Member of the Australasian Institute of Mining and Metallurgy</p> <p>3.25 Employee of the Australian Defence Force who is:</p> <p>a) an officer, or</p> <p>b) a non-commissioned officer within the meaning of the <i>Defence Force Discipline Act 1982</i> with 5 or more continuous years of service, or</p> <p>c) a warrant officer within the meaning of that Act</p> <p>3.26 Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants</p> <p>3.27 Member of:</p> <p>a) the Parliament of the Commonwealth, or</p> <p>b) the Parliament of a State, or</p> <p>c) a Territory legislature, or</p> <p>d) a local government authority of a State or Territory</p> <p>3.28 Minister of religion registered under Subdivision A of Division 1 of Part IV of the <i>Marriage Act 1961</i></p> | <p>3.29 Notary public</p> <p>3.30 Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public</p> <p>3.31 Permanent employee of:</p> <p>a) the Commonwealth or Commonwealth authority, or</p> <p>b) a State or Territory or a State or Territory authority, or</p> <p>c) a local government authority,</p> <p>with 5 or more years of continuous service who is not specified in another item in this list</p> <p>3.32 Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made</p> <p>3.33 Police officer</p> <p>3.34 Registrar, or Deputy Registrar, of a court</p> <p>3.35 Senior Executive Service employee of:</p> <p>a) the Commonwealth or a Commonwealth authority, or</p> <p>b) a State or Territory or a State or Territory authority</p> <p>3.36 Sheriff</p> <p>3.37 Sheriff's officer</p> <p>3.38 Teacher employed on a full-time basis at a school or tertiary education institution.</p> |
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STATUTORY DECLARATION

Please use BLOCK CAPITAL LETTERS to fill in this form.

Title First name Middle name/s

I, Family name

Date of birth (DD/MM/YYYY)

Place of birth

/ /

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

also known as

Current address

of

Occupation

and

make the following declaration under 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 community (includes traditional area, region, nation 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 an authorised person. For a full list of authorised persons, see Qualifications on page 1.

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*, and I believe that the statements in this declaration are true in every particular.

Signature of applicant

Declared at Place on Day of Month 20 Year

Signature of qualified witness

Full name of witness

Before me

Qualification number
(from page 1)

Address 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 STATEMENT

Personal information provided by a person to IBA in the Aboriginal or Torres Strait Islander Descent Confirmation will be used by IBA to assess the person's eligibility for IBA assistance. The information will be maintained in a secure location as required under the *Privacy Act 1988*. IBA respects the privacy of all customers and is committed to maintaining your privacy. More information on how IBA handles your personal information is in our Privacy Policy, available at iba.gov.au.