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Png statutory declaration form pdf

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Databases | WorldLII | Search | Feedback You are here: PaCILI >> Papua New Guinea Consolidated Legislation >> Oaths, Affirmations and Statutory Declarations Act 1962 Database Search [Name Search] [Notepup] [Download] [Help] Download original PDF Oaths, Affirmations and Statutory Declarations Act 1962 No. 999 of 1962. Oaths, Affirmations and Statutory Declarations Act 1962.Certified content : / 220 . INDEPENDENT STATE OF PAPUA NEW GUINEA. No. of 9998. Oaths, Affirmations and Statutory Declarations Act 1962. ARRANGEMENT OF SECTIONS. INDEPENDENT STATE OF PAPUA NEW GUINEA. AN ACT entitled Oaths, Affirmations and Statutory Declarations Act 1962, Being an Act relating to oaths, affirmations, statutory declarations and affidavits, and for related purposes. PART I. - OATHS. Nothing in this Part invalidates an oath taken in a sufficient and lawful form. Witnesses may be sworn- (a) in civil proceedings in Form 1; and (b) in criminal trials in Form 2. A person may be sworn on the voir dire in Form 3. (1) Interpreters may be sworn- (a) in civil proceedings in Form 4; and (b) in civil proceedings and criminal trials to interpret on the voir dire in Form 5; and (c) for the purpose of conducting the arraignment of a person accused in Form 6; and (d) for the purposes of a criminal trial in Form 7, except that- (i) where the witness and the accused are persons of different languages and the interpreter is unable to interpret to the accused, the reference in that form to the accused shall be omitted and an additional interpreter sworn to interpret to the accused the English interpretation of the first interpreter; and (ii) where a witness and the accused are persons of different languages and an interpreter can be found conversant with the language of the accused and the witness and able to interpret between them, and a second interpreter can be found conversant with English and with a language with which the first interpreter is conversant and able to interpret from that last-mentioned language into English, the first interpreter shall be sworn to interpret to the court the English interpretation of what is said or sworn by the witness and the accused, and the second interpreter shall be sworn to interpret to the witness and the accused the English interpretation of what is said or sworn by the witness and the accused.

(2) Subsection (1)(d)(i) and (ii) apply in civil cases as far as practicable. PART II. - AFFIRMATIONS AND DECLARATION OR AFFIRMATION INSTEAD OF OATH.(1)[12]This section applies to a person who- (a) is in civil or criminal proceeding is called as a witness in a court or before a Commissioner for Oaths or other person authorized to administer an oath; or (b) has to make a statement in an information, complaint or proceeding in a court or before a Commissioner for Oaths or other person authorized to administer an oath; or (c) is required or desires to make an affidavit or deposition, and who- (d) objects to taking an oath; or (e) appears to the court, Commissioner for Oaths or other authorized person, incompetent to take an oath; or (f) appears to the court, Commissioner for Oaths or other authorized person, incompetent to take an oath; or (g) desires or is required to take an oath in a form and manner required by his religion to make it binding on his conscience, but which it is found to be impracticable to administer to him in that form and manner at the time when, and at the place where, the oath is desired or required to be taken. (2) A person to whom this section applies may, instead of an oath referred to in Subsection (1)- (a) if he is called as a witness-make a solemn declaration or affirmation in Form 9; or (b) in any other case-make a solemn declaration or affirmation in Form 10. TAKING EVIDENCE OF PERSON INCOMPETENT TO TAKE OATH. ETC.(1)[3] [4]Where a person called in a civil or criminal proceeding as a witness in a court or before a Commissioner for Oaths or other person authorized to administer an oath, appears to the court, Commissioner for Oaths or person authorized, to be incapable- (a) of comprehending the nature of an oath; or (b) of understanding the meaning of the solemn declaration or affirmation referred to in Section 5, the court, Commissioner for Oaths or person shall, if satisfied that the person called as a witness understands that he will be liable to punishment if his evidence is false, declare in what manner his evidence shall be taken. (2) When evidence is taken as provided for by Subsection (1) the same consequences follow as if an oath had been administered in the ordinary manner. (3) Nothing in this section affects the operation of any law or rule of law or practice relating to the corroboration of evidence. [5]Section 6 extends and applies, with the necessary modifications, to interpreters called to interpret in a civil or criminal proceeding in a court or before a Commissioner for Oaths or other person authorized to administer an oath. MODE OF BINDING INTERPRETERS IN CERTAIN CASES.[6](1) If, in a civil or criminal proceeding in a court or before a Commissioner for Oaths or other person authorized to administer an oath- (a) it is necessary to call an interpreter (whether for the purpose of interpreting to the court the evidence of a witness; and (b) it appears to the court, Commissioner for Oaths or other authorized person that the person called as an interpreter cannot understand the language of the accused or other person between whom and the court, Commissioner for Oaths or other authorized person, there is a language barrier; and (c) no other person is available to perform the duties of an interpreter, the court, Commissioner for Oaths or other authorized person shall direct that the interpreter shall be sworn in the form and manner prescribed for the purpose or desired by him. (2) The court, Commissioner for Oaths or other person authorized shall- (a) direct that the interpreter shall be sworn in the form and manner prescribed for the purpose or desired by him; and (b) direct that the interpreter shall be sworn in the form and manner prescribed for the purpose or desired by him; and (c) declare in what manner the interpreter shall be sworn or otherwise bound to make true explanation; and (d) ascertain that true explanation of the declaration and all other proceedings made to the accused person. (2) If the court, Commissioner for Oaths or person authorized to administer an oath is satisfied that true explanation is made in accordance with Subsection (1), the trial and any verdict given at the trial is as valid as if the interpreter had been sworn in the ordinary manner. PART III. - STATUTORY DECLARATIONS. AUTHORITY TO MAKE AND USE STATUTORY DECLARATIONS.(1)If he so desires a person may make a statutory declaration in relation to a matter. (2) Subject to Subsection (3), a statutory declaration may, unless the contrary intention appears, be used for any purpose or in connection with any matter arising under a law or in connection with the administration of a Department of the Public Service. (3) Subsection (2) does not authorize a statutory declaration to be used as evidence in judicial proceedings, but this section does not prevent a statutory declaration being so used. REFERENCES TO STATUTORY DECLARATIONS.Unless the contrary intention appears, a reference in any law to a statutory declaration includes a reference to a statutory declaration made by virtue of this Part. FORM OF STATUTORY DECLARATION.[7](1) A statutory declaration may be in Form 11 and may be made before- (a) a District Officer, a magistrate or a clerk of court; or (b) a Commissioner for Oaths; or (c) a Notary Public. [8](1) The Minister- (a) may by notice in the National Gazette appoint a person to be a Commissioner for Oaths; and (b) shall specify the person's current title or a position held prior to the person's appointment. (2) Subject to Section 17A, a Commissioner for Oaths shall be appointed for a period of six years and is eligible for reappointment. SECTION 12A. COMMISSIONER FOR OATHS APPOINTED UNDER LAWYERS ACT 1986. [9]Notwithstanding Section 108 of the Lawyers Act 1986, a lawyer shall not perform the duties of a Commissioner for Oaths unless he is the holder of a current practising certificate issued under the Lawyers Act 1986. APPLICATION. [10](1) Subject to Subsection (2), a person other than a- (a) Judge; or (b) Magistrate; or (c) Lawyer holding a current practising certificate issued under the Lawyers Act 1986; or (d) Clergyman, may apply to the Minister for consideration for appointment as a Commissioner for Oaths. (2) An application for appointment as a Commissioner for Oaths shall be made in writing and shall contain reasons for making the application and particulars of such reasons as are stated to be material to the decision as to whether or not the applicant is fit and proper person of good reputation and sound character; and (b) is mature; and (c) has good standing in the community, the Minister may grant the application and appoint the applicant as Commissioner for Oaths under Section 12(1). (2) An applicant is a fit and proper person where he holds a certificate signed by the Attorney-General certifying that the applicant is a fit and proper person. (3) The certificate of a fit and proper person shall be in Form 13. DECLARATIONS UNDER OTHER ACTS, ETC.Unless the contrary intention appears, where by a law a declaration is required to be made by a person before some other person, the declaration may be made- (a) before the person specified in that law; or (b) before a person before whom a statutory declaration may be made under this Act. PART IV. - AFFIDAVITS. COMMISSIONER FOR OATHS MAY TAKE AFFIDAVITS.[12]A Commissioner for Oaths may take and receive affidavits in all matters pending in a court. PART V. - ATTESTATION OF INSTRUMENTS. JUSTICES OF A STATE, ETC., MAY TAKE AFFIDAVITS, ETC.[14]Where by a law an affidavit or statutory declaration- (a) is required or permitted to be sworn or made before; or (b) a document is required or permitted to be authenticated or witnessed by, a Commissioner for Oaths, then- (c) the affidavit or statutory declaration may be sworn or made before; or (d) [15] the document may be authenticated or witnessed by, a person authorized to authenticate or witness the affidavit or statutory declaration in another country. PART VI. - COMMISSIONERS FOR OATHS. POWERS OF COMMISSIONERS FOR OATHS.(1) A Commissioner for Oaths may administer any oath or affirmation whether or not required by law to be taken or made. (2) A Commissioner for Oaths has, in relation to the taking of affidavits, administering of oaths and affirmations, the witnessing of documents and any other similar functions, all the powers, duties and functions that were held by or applicable to the office of Justice of the Peace immediately before 4 May 1978. 17A. CESSATION OF APPOINTMENT. [16](1) If a Commissioner for Oaths- (a) dies; or (b) becomes permanently incapable of performing the duties as Commissioner for Oaths; or (c) is convicted of an offence punishable under law by a term of imprisonment or by death and as a result of the conviction is sentenced to imprisonment or death, his appointment as Commissioner for Oaths under this Act or the Lawyers Act 1986 shall terminate on the day on which he dies or becomes permanently incapable of performing the duties as Commissioner for Oaths; or (d) if he ceases to hold the title or the position as the Minister specifies under Section 12(1)(b); or (e) being a lawyer he ceases to hold or is suspended from holding a current practising certificate issued to him under the Lawyers Act 1986. PART VII.[17] - TRANSITIONAL. PERSONS DEEMED TO BE COMMISSIONER FOR OATHS.[18]A person who, before 4 May 1978 was- (a) appointed to be a Justice of the Peace or a Commissioner for Declarations; or (b) authorized to be a Commissioner for Affidavits, shall, from that date, be deemed to be a Commissioner for Oaths appointed under this Act. PART VIII.[19] - OFFENCES. SCHEDULE 1. PENALTIES FOR FALSE REPRESENTATION IN APPLYING FOR APPOINTMENT AS COMMISSIONER FOR OATHS, IS GUILTY OF AN OFFENCE. PENALTY: A fine not exceeding K10,000.00 or a term of imprisonment not exceeding two years or both. (2) A person who falsely represents himself to be a Commissioner for Oaths, is guilty of an offence. Penalty: A fine not exceeding K10,000.00 or a term of imprisonment not exceeding two years or both. SCHEDULE 1 PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962.

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Form 1 - Witness' Oath-Civil Causes.
Sec.

2. Form 1. The evidence that you give to the court touching the matters in question between the parties will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 2 – Witness’ Oath-Criminal Trials. Sec. 2(b). Form 2. The evidence that you give to the court between the State and the accused (or defendant) will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 3 – Oath on the Voir Dire. Sec. 3. Form 3. The evidence that you give will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 4 – Interpreter’s Oath-Civil Cases. Sec. 4(1)(a). Form 4. You swear that you understand (describe the language) which is understood by the witness (or plaintiff or defendant), and are able to interpret between him and the court and all persons who understand the English language. So help you God! You will well and truly interpret and give true explanations between the witness (or plaintiff or defendant) and the court and all persons who understand the English language to the best of your knowledge, skill and ability, and the evidence that you give will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 5 – Interpreter’s Oath-On the Voir Dire. Sec. 4(1)(b). Form 5. You swear that you understand (describe the language) which is understood by the witness (or plaintiff or defendant or accused), and are able to interpret between him and the court and all persons who understand the English language.

 **medicare**
Department of Human Services
Australia's Medicare

Commonwealth of Australia
Statutory Declaration
Statutory Declarations Act 1959

**Positron Emission Tomography
Statutory Declaration**

Read these instructions carefully before completing the statutory declaration.

Purpose of this form

To be eligible to perform Positron Emission Tomography (PET) services, a provider must complete a statutory declaration that lists the provider number and Location Specific Practice Number (LSPN). The Australian Government Department of Human Services will advise the provider of their PET eligibility in writing once the receipt of a completed statutory declaration.

Instructions

The provider must complete the attached statutory declaration and provide the following information to Human Services:

- full name of the person making the statutory declaration
- the location where the PET services are provided
- the provider number to be used at this location
- the LSPN, and
- details of the PET equipment.

A reference to 'comprehensive facility' in the attached statutory declaration is a reference to a building or part of a building, or more than one building, where all of the following services are performed: PET, computed tomography, diagnostic ultrasound, medical imaging, radiation oncology, surgical oncology and x-ray.

The statutory declaration must be witnessed by an authorised person. See page 1 for a list of authorised persons.
The declaration by Medicare itself is based on the equipment specified in the statutory declaration. Medicare should be contacted immediately if the equipment specified in the statutory declaration is replaced or moved to a new location.

For more information

If you need assistance completing this form call **1800 620 688** (toll charges will apply Monday to Friday between 9.00 am and 5.00 pm, Australian Western Standard Time).

Note: Toll charges apply from mobile phones.

Filling in this form

- Please use **black or blue pen**
- Print in **BUSC (Uppercase)**

Returning your forms

Check that you have answered all the questions you need to answer and that you have signed and dated this form.

Send the completed form to:

**Department of Human Services
Provider Eligibility and Benefits
GPO Box 9002
Perth WA 6001**

or

Per 08 0014 4201

Privacy notice

Your personal information is protected by law, including the Privacy Act 1988, and is collected by the Australian Government Department of Human Services for the assessment and administration of payments and services. This information is required to process your application or claim.

Your information may be used by the Department or given to other parties for the purposes of research, investigation or where you have agreed or it is required or authorised by law.

You can get more information about the way in which the Department of Human Services will manage your personal information, including our privacy policy at human-services.gov.au/privacy or by requesting a copy from the department.

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So help you God! You will well and truly interpret and give true explanations between the accused (or plaintiff or defendant or accused) and the court and all persons who understand the English language to the best of your knowledge, skill and ability, and the evidence that you give will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 6 – Interpreter's Oath-On the Arraignment. Sec. 4(1)(c). Form 6. You swear that you understand (describe the language) which is understood by the accused and are able to interpret between him and the court. So help you God! You will well and truly interpret and give true explanations between the accused and the court to the best of your knowledge, skill and ability, and the evidence that you give will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962. Form 7 – Interpreter's Oath-Criminal Trials. Sec. 4(1)(d).

Form 7. You swear that you understand (describe the language) which is understood by the accused (or defendant), and are able to interpret between him and the court and between him and all persons who understand the English language to the best of your knowledge, skill and ability, and the evidence that you give to the court between the State and the accused will be the truth, the whole truth and nothing but the truth. So help you God! You will well and truly interpret and give true explanations between the accused and the court and between him and all persons who understand the English language to the best of your knowledge, skill and ability, and the evidence that you give to the court between the State and the accused will be the truth, the whole truth and nothing but the truth. So help you God! You will well and truly interpret and give true explanations between the witness the court and the accused and all persons who understand the English language, and the evidence that you give the court between the state and the accused (or defendant) will be the truth, the whole truth and nothing but the truth. So help you God! PAPUA NEW GUINEA. Oaths, Affirmations and Statutory Declarations Act 1962.

