Commonwealth of Australia

STATUTORY DECLARATION

*Statutory Declarations Act 1959*

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| --- | --- |
| *1 Insert the name, address and occupation of person making the declaration* | I,1 [insert name of person completing this form]  make the following declaration under the *Statutory Declarations Act 1959:* |
| *2 Set out matter declared to in numbered paragraphs* | 2 On behalf of [insert name of Australian company] as the [insert position with Australian company] declare that [insert name of prospective employee] who intends to lodge an application for a Temporary Work (International Relations) (Subclass 403) Visa Application under the 1991 “Memorandum of Understanding Between the Australian Department of Employment, Education and Training and the Swiss Federal Office for Industry, Crafts and Labour Concerning the Exchange of Trainees Between Australia and Switzerland” (the MOU) will:   1. Be engaged full-time for a period of [insert number] months as the direct employee of [insert name of Australian company] where the primary purpose of this engagement is for structured workplace based training and not work; and 2. Receive workplace based training in [insert occupation from Attachment A to the Explanatory Notes for Australian Employers] which is an eligible profession, trade or technical occupation as defined in Major Groups 2 and 3 of the Australian and New Zealand Standard Classification of Occupations (ANZSCO); and 3. Not, while engaged as an employee of [insert name of Australian company] on a visa granted pursuant to this MOU, perform duties associated with an occupation other than [insert occupation from Attachment A to the Explanatory Notes for Australian Employers]. That is, [insert name of prospective employee] will not undertake any less-skilled or labouring duties; and 4. Have skills (qualifications and/or experience) that [insert name of Australian company] has determined to be comparable to the Australian standard for the [insert title of occupation from Attachment A to the Explanatory Notes for Australian Employers] covered by the workplace based training; and 5. Hold all relevant licensing, registration or certification required by applicable Australian law for the [insert occupation from Attachment A to the Explanatory Notes for Australian Employers] and industry of employment; and 6. Be offered an employment contract which includes salary and employment conditions which satisfies all applicable Australian workplace law and standards (including but not limited to awards, agreements, workers’ compensation and workplace safety). Information on salary and employment conditions has been sourced from the Fair Work Ombudsman or relevant state industrial relations body.   [Insert name of Australian company] will on request provide the Department of Jobs and Small Business with information on the qualifications of the person providing workplace based training to [insert name of prospective employee] and information on the scope of training provided for the period of the visa.  I understand the Department of Jobs and Small Business may provide a copy of this Statutory Declaration to other Australian Government Departments and agencies (including but not limited to the Department of Home Affairs, Fair Work Ombudsman and Safe Work Australia).  I have read and, on behalf of [insert name of Australian company], acknowledge the terms and objectives of the MOU referred to in this Statutory Declaration and the accompanying Explanatory Notes for Australian Employers. I have also read the description of duties for [insert occupation from Attachment A to the Explanatory Notes for Australian Employers] in ANZSCO.  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. |
| *3 Signature of person making the declaration* | 3 |
| *4 Place*  *5 Day*  *6 Month* *and year* | Declared at 4 on 5 of 6  Before me, |
| *7 Signature of person before whom the declaration is made (see over)* | 7 |
| *8 Full name, qualification and address of person before whom the declaration is made (in printed letters)* | 8 |

*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 a term of 4 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*.

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

(1) a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor Dentist Legal practitioner

Medical practitioner Nurse Optometrist

Patent attorney Pharmacist Physiotherapist

Psychologist Trade marks attorney 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:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public

Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)

Bailiff

Bank officer with 5 or more continuous years of service

Building society 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

Credit union officer with 5 or more years of continuous service

Employee of the Australian Trade 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) in a country or 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

Fellow of the National Tax Accountants’ Association

Finance company officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item 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 Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

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 years of continuous service; or

(c) a warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

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 supplying postal services to the public

Permanent employee of:

(a) the Commonwealth or a 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 Service employee of:

(a) the Commonwealth or a Commonwealth authority; or

(b) a State or Territory or a State or Territory authority

Sheriff

Sheriff’s officer

Teacher employed on a full-time basis at a school or tertiary education institution