Magistrates’ Court General Civil Procedure Rules 2010

Rule 6.17 **FORM 6A**

**AFFIDAVIT/DECLARATION OF SERVICE OF APPLICATION FOR RE-HEARING**

IN THE MAGISTRATES’ COURT Court Number:

OF VICTORIA

AT

BETWEEN

Plaintiff

OF

and

Defendant

OF

|  |  |  |  |
| --- | --- | --- | --- |
| Date of document: |  |  |  |
| Filed on behalf of: |  |  |  |
| Australian lawyer name: |  | Code: |  |
| Address: |  | Telephone: |  |
| Reference: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| I |  |  |  |
|  | *(full name of the person serving document)* |  | *(occupation)* |
| of |  | | |
|  | *(address)* | | |
| \*make oath and say | | | |
| \*declare that | | | |
| I served \*an original/\*a copy of the application for re-hearing | | | |
| \*together with \*an original/\*a copy of the affidavit in support | | | |
|  | | | |
| on |  | | |
|  | *(name of the person served with document)* | | |

*(State all relevant information and facts as required by Rule 6.17(1) in numbered paragraphs which may include answers to the following:*

* *How did you identify the person you served and establish the person’s identity?*
* *Was the person you served the person named in the document/s to be served?*
* *At what time, day of the week and date did you serve the document/s on the person?*
* *Where was the person served the document/s? For example, was it at the residence or the business of the person?*
* *How was/were the document/s served on the person? For example, by hand or by post?)*

|  |
| --- |
|  |

\*I acknowledge that this declaration is true and correct and I make it in the belief that a person making a false declaration is liable to the penalties of perjury.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| \*Sworn/Declared at *(place)* | |  | | | | |  |
|  | | |  | | | |  |
|  | | | | | | | |
| in the State of Victoria on *(date)* | | |  | | |  | |
|  | | |  | | | |  |
|  | | | | | | | |
|  | | | | |  | | |
| *(Signature of person making affidavit)* | | | | | | | |
|  | | | | | | | |
| Before |  | | |  | | | |
|  | *(Signature)* | | | | | | |
|  | | | | | | | |
|  |  | | | | | | |
|  | *(Name and address in legible writing, typing or stamp)* | | | | | | |

\*authorised under section 107A(1) of the **Evidence (Miscellaneous Provisions) Act 1958** to witness the signing of a statutory declaration.

\*authorised under section 123C(1) of the **Evidence (Miscellaneous Provisions) Act 1958** to take an affidavit.