**AFFIDAVIT/DECLARATION OF SERVICE OF FORM 46A SUMMONS**

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 person serving document)* | | | | | | | | | | | |  | *(occupation)* | | | | | | | |
| of | *(address)* | | |  | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | |
| make oath and say/declare that/affirm and say I served a true copy of the Summons on | | | | | | | | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | by |
|  | (*name of person served)* | | | | | | | | | | | | | | | | | | | | |
| **\*** | leaving it with \*him/her personally at | | | | | | | |  | | | | | | | | | | | | |
|  |  | |  | | | | | | (*address)* | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | |
| **\*** | delivering it to \*his/her place of residence to | | | | | | | | | |  | | | | | | | | | | |
|  | *(name of person given document)* | | | | | | | | | |  | | | | | | | | | | |
|  | a person apparently above the age of 16 years and residing there at | | | | | | | | | | | | | | | | | | | | |
|  | *(address)* | | |  | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | |
| **\*** | delivering it to \*his/her place of business at | | | | | | | | | |  | | | | | | | | | | |
|  | *(address)* | | |  | | | | | | | | | | | | | | | | | |
|  | to | | *(Name of person given document*) | | | | |  | | | | | | | | | | | | | |
|  | a person apparently above the age of 16 years and apparently in charge of that business or employed in the office of that business. | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | |  | | | |  | | | | | |
| **\*** | Posting it by prepaid ordinary post at *(address)* | | | | | | | | | |  | | | | | | | | | | |
|  | addressed to \*him/her at \*his/her address for service at | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | | | | | | | | | | | |
|  |  | | | | | | | | | | |  | | | |  | | | | | |
| **\*** | Leaving it at/\*sending it by post to the registered office of the corporation at | | | | | | | | | | | | | | | | | | | | |
|  | *(address of registered office)* | | | | | |  | | | | | | | | | | | | | | |
|  | | | | | | | | | | | | | | | | | | | | | |
| **on** | |  | | | **the** |  | | **day of** | |  | | | | | **,** | |  | **at** |  | **a.m/p.m.** | |
|  | | *(Day)* | | |  | *(Date)* | |  | | *(Month)* | | | | |  | | *(Year)* |  | *(Time)* |  | |

***\**** *Delete if not applicable*

\*[*for affidavits*] The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

\*[*for statutory declarations*] I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence.

\*SWORN/ DECLARED/ AFFIRMED AT

in the State of Victoria on

*(date)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Signature of person making affidavit:*

Before me: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(*Name and address in legible writing, typing or stamp)*

\*authorised under section 19(1) of the **Oaths and Affirmations Act 2018 to** take an affidavit.

\*authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration.

***\**** *Delete if not applicable*