

SAFER BUILDINGS

HOW TO COMPLETE A STATUTORY DECLARATION

Statements made by a building owner (or authorised agent) in the combustible cladding checklist (Checklist) are supported by a statutory declaration. This fact sheet details the legal requirements for a valid statutory declaration in Queensland.

Incorrect or incomplete statutory declarations will not be accepted and building owners risk failing to complete their obligations which attracts liability for prosecution and possible financial penalties.

NAMES PROVIDED IN STATUTORY DECLARATION

Names provided in your statutory declaration must be the full, legal name for that business/entity or individual. Abbreviations and alternative names (including trading names) are not valid and will not be accepted.

AGENTS ACTING ON BEHALF OF OWNERS

If you are completing a statutory declaration on behalf of a building owner you must be the authorised agent. An owner must provide this authorisation using Form 43 - Proof of Agency. This form must be

completed and provided before executing the statutory declaration.

CHANGES MADE TO STATUTORY DECLARATION

In accordance with 'The Duties of Justices of the Peace (Qualified)', all alterations, spaces or omissions (including white out), are required to be initialled by both the witness and the signatory in order to be valid. You must use the same witness if this occurs.

APPROVED WITNESSES

A full list of persons approved to witness your statutory declaration, which includes dentists and nurses, can be found on the Commonwealth Government website under [List of approved witnesses](#).

If you wish to use a Justice of the Peace you can locate one in your local area using a [search](#) on the Queensland Government website.

The following steps demonstrate a statutory declaration provided after completion of a part in the Checklist.

STEPS FOR COMPLETING STATUTORY DECLARATION:

Statutory Declaration
Part 1 of the Combustible Cladding Checklist

QUEENSLAND TO WIT

I _____
Full Name

of _____
Full Address

STEP 1

Name of person completing the Checklist:

- ✓ MUST be full, legal name
- ✗ NO abbreviations or alternatives (e.g. trading name).

STEP 2

Address of person completing the Checklist

- ✓ MUST be full street address.

Do solemnly and sincerely declare that
The owner, as defined in section 16P of the Building Regulation 2006, of the building located on the real property described below is
(Name of owner, may be a company or body corporate) _____

STEP 3

Name of building owner completing the Checklist:

- ✓ MUST be full, legal name.
For example:
 - for person/individual - first, middle and last name
 - for body corporate - "Body Corporate for Building 1 Community Title Scheme 34498"
 - for company - "Building 1 Pty Ltd"
 - for trust - "Building 1 Pty Ltd for the Builders Family Trust"
- ✗ NO abbreviations or alternatives (e.g. trading name).

STEP 4

Select the appropriate tick box:

- ✓ MUST select at least one tick box
- ✗ DO NOT select "The owner" unless you are.

If you select "The owners agent", this requires authority by the owner using Form 43 - Proof of Agency.

XXXXBPXXXXX Building Name
(Building address) Building 1

Was the building built or has the cladding been altered after 1 January 1994 but before 1 October 2018?
Yes

Q1. What is your building used for?
Apartments

Q2. How many levels are in your building (including ground level)?
Three or more

Q3. What is the total floor area of your building?
>3000m2

Q4. Select the building materials that are used for external wall cladding, soffits and building attachments (such as architectural features, sun shades, awnings).
Concrete (including pre-cast/in-situ concrete but excluding a rendered surface finish), Solid Masonry (stone, brick or concrete block), Glass (including glass curtain walls and/or aluminium framed windows), Metal wall sheeting (metal used in a single sheet and not as part of a bonded laminate or composite panel), Fibre cement sheeting

STEP 5

Review the details of your Checklist responses

- ✗ DO NOT make any adjustments to the auto-generated responses on this statutory declaration.
- If details you have made are incorrect you must edit the answers in the online system and reprint the statutory declaration.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

Signature of person making this declaration (to be signed in front of an authorised witness)

STEP 6

Signature with witness

- ✓ Person completing the checklist must sign in the presence of (approved) witness.

Taken and declared before me at _____
Full Address

this _____ day of _____ 20 _____

Before me, _____
Signature of authorised witness (A Justice of the Peace / Commissioner for Declarations / Lawyer / Conveyancer)

STEP 7

Witness declaration

- ✓ Provide the address signature takes place
- ✓ Provide the date signatures take place
- ✓ Witness to provide signature and where appropriate, stamp and or authorisation number.