Instructions for completion

AFFIDAVIT OF SERVICE (General)

1. This form of affidavit of service may be used as evidence of service for the purpose of Rule 6.05 of the *Federal Circuit Court Rules 2001* (the Rules) in any proceeding where no other form of affidavit of service is approved for use under the Rules. This affidavit of service is not for use in Divorce proceedings for which there is a specific approved affidavit of service.

2. This affidavit of service must be sworn or affirmed before a person authorised by law to witness the swearing of affidavits; for example, a lawyer, notary public or Justice of the Peace.

3. Each page must be signed by the deponent (the person making the affidavit).

4. Any alteration in the affidavit of service must be initialled by the deponent and the witness.

5. You must complete address for service details in the footer on page 1.

6. If the facts in the affidavit of service are supported by a document, a copy of the document must be attached to this affidavit of service. This document is then referred to as an 'annexure'. If there is more than one annexure refer to each by a number or letter; for example – 'Annexure 1' or 'Annexure A'. The annexure should also have page numbers. If there is more than one annexure, the page numbers must run consecutively until the last page of the last annexure. If it is impractical to annex a document, it may be separately identified as an exhibit; see Rule 15.28.

7. Each annexure must include a statement signed by the witness identifying the annexure as the document referred to in this affidavit. The wording of the statement is as follows:

    This is the document referred to as [*insert annexure identification*] in the affidavit of [*insert deponent's name*] sworn/affirmed at [*insert place*] on [*insert date*] before me [*witness to sign and provide name and qualification*].

    The statement must be signed at the same time as the affidavit and by the same witness.

8. Once complete, you need to file the original with the court registry and keep a copy for your records.

Remove this instruction sheet before filing

FEDERAL CIRCUIT COURT OF AUSTRALIA

....

Applicant

....

Respondent

....

Other party (if applicable)

Repeat as necessary for additional parties

AFFIDAVIT OF SERVICE (GENERAL)

1. **Person serving documents**

    Full name .... Occupation ....

    Address (incl postcode) ....

2. **Person served**

    Full name...

3. **Date documents served** ..../........../.........

4. **What documents were served?** (cross box if applicable)

    ☐ (a) Application for ....

    dated ..../........./.........

    ☐ (b) Affidavit of ....

    sworn/affirmed on ..../........./.........

Filed on behalf of			
Prepared by		Lawyer's code	
Name of law firm			
Address for service in Australia			
	State		Postcode
Email		DX	
Tel	Fax	Attention	

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☐ (c) Financial statement of ....

sworn/affirmed on ..../........./.........

☐ (d) Information sheet dated ..../........./.........

☐ (e) Brochure *Marriage, Families and Separation*

☐ (f) Subpoena dated ..../........./.........

☐ (g) Conduct money

☐ (h) Other (give details) ....

5. How were they served on the person? (cross box if applicable)

☐ I handed them to the person at (address) ....

☐ I attempted to hand them to the person at (address) ....

....

☐ The person refused to accept them. I put them down and left them in the presence of the person and said to the person ....

....

☐ I posted them by pre-paid post in an envelope addressed to the person at (address)

....

☐ I delivered them to the address for service of the person at (address)

....

☐ I emailed them to the address for service of the person at (email address)

....

6. How was the person served identified? (Note - do not complete if service was by post or fax)

☐ I know the person

☐ The person is shown in the attached photograph

☐ I had the following conversation with the person on (date) ..../........./.........
(set out conversation relating to person's identity) ....

....

....

....

....

I swear/ affirm that the facts set out above are true

Sworn / Affirmed by the deponent

at ....

....

on ..../.........../...............   Signature of deponent

Before me:

Signature of witness

Full name of witness: ....

Qualification of witness: ....

Form approved by the Chief Judge pursuant to Subrule 2.04(1A) for the purpose of Subrule 6.05   AffidavitService_FCC_0313.V1

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