

Who is authorised to witness an Affidavit in Victoria



Section 19(1) of the *Oaths and Affirmations Act 2018* lists the following persons who are authorised to witness affidavits within Victoria:

- a) a judicial officer;
- b) an associate to a judicial officer;
- c) an honorary justice;
- d) the prothonotary or a deputy prothonotary of the Supreme Court;
- e) the registrar of probates or an assistant registrar of probates;
- f) the registrar or a deputy registrar of the County Court;
- g) the principal registrar, a registrar or a deputy registrar of the Magistrates' Court;
- h) the principal registrar, a registrar or a deputy registrar of the Children's Court;
- i) the principal registrar, deputy registrar or a registrar of VCAT;
- j) the principal registrar or a registrar of the Coroners Court;
- k) a member of VCAT;
- l) a member or former member of either House of the Parliament of Victoria;
- m) a member or former member of either House of the Parliament of the Commonwealth;
- n) a public notary;
- o) an Australian legal practitioner;
- p) a police officer of or above the rank of sergeant or for the time being in charge of a police station;
- q) a person employed under Part 3 of the *Public Administration Act 2004* with a prescribed classification (see regulation 5(1) of the [Oaths and Affirmations \(Affidavits, Statutory Declarations and Certifications\) Regulations 2018](#));
- r) a senior officer of a Council as specified in section 48(5) of the *Local Government Act 2020*;
- s) a person registered as a patent attorney under Chapter 20 of the Patents Act 1990 of the Commonwealth;
- t) a fellow of the Institute of Legal Executives (Victoria) ACN 004 670 928;
- u) a person acting judicially;
- v) any other officer or person empowered, authorised or permitted by or under any Act or rules of a court or rules of a tribunal to take affidavits;
- w) any prescribed person or person who is a member of a prescribed class of persons (see regulation 5(2) of the [Oaths and Affirmations \(Affidavits, Statutory Declarations and Certifications\) Regulations 2018](#)).