



Submission to the review of the *Statutory Declarations Regulations 1993*

Your details

Name/organisation <i>(if you are providing a submission on behalf of an organisation, please provide the name of a contact person)</i>	 Department of Defence
Contact details <i>(one or all of the following: postal address, email address or phone number)</i>	

Publication of submissions

The Attorney-General's preference is for submissions to be submitted via email to statdec.review@ag.gov.au. The following formats are preferred:

- Microsoft Word
- PDF
- Rich Text Format (RTF)


Please limit individual file size to less than 5MB.

Confidentiality

Submissions received will be published on the Statutory Declarations Review webpage, except where requests have been made to keep them confidential or where they relate to particular cases or personal information.

Would you prefer this submission to remain confidential? NO

Your submission

I refer to  letter of 31 March 2017 regarding the review of the *Statutory Declarations Regulations 1993* (the Regulations) by the Attorney-General's Department.

Specifically, the Department of Defence was invited to make a submission on whether eligible members of the Australian Defence Force (ADF) should continue to be included as authorised witnesses in Schedule 2 of the Regulations, and if so, whether any amendments should be made.

We can confirm that there continues to be a genuine need for members of the ADF to be included as authorised witnesses for the following reasons.

Statutory declarations are used for a number of administrative purposes in the Defence Force on a regular basis, including in applications for service-related benefits, credentialing and complaints management. Statutory declarations in these situations may contain sensitive personal information and potentially classified information. In our view, the ability to have statutory declarations witnessed by eligible members of the Defence Force achieves policy objectives of full and frank disclosure, the protection of personal information, the proper handling of classified information, and the reduction of the administrative burden on the Defence Force.

These policy objectives are particularly important where members of the Defence Force, and persons accompanying or working with the Defence Force, are located in isolated areas, including areas of operations, where other eligible witnesses for statutory declarations are not readily available.

Further, we believe the ability of eligible members of the Defence Force to witness statutory declarations also permits the Defence Force to perform a community service, reflecting the deep connection between the Defence Force and the wider Australian community.

Based on the above, we recommend that eligible members of the ADF continue to be included as authorised witnesses for the purpose of the Regulations. No amendment is required at this time.

Thank you for the opportunity to respond. Please do not hesitate to contact me if you wish to discuss further.