*Oaths Act 1867*

Declaration for application for a discount on financial assurance

A statutory declaration is a written statement of facts that is declared to be true under the Oaths Act 1867. This statutory declaration must be submitted by environmental authority holders applying for a discount on their financial assurance (FA). It must be signed by an authorised representative of the applicant (e.g. a director, power of attorney or trustee). Where there are joint holders of the environmental authority (e.g. joint venture participants), a declaration must be provided by an authorised representative (e.g. a director or power of attorney) of the joint holders[[1]](#footnote-1). Where the authorised representative is a power of attorney, the environmental authority holder must provide a copy of the power of attorney’s certification under section 14 of the Powers of Attorney Act 1998 or legislation pursuant to which the power of attorney has been granted.

*NOTE: If you wish to make a statutory declaration in electronic form, please use the statutory declaration form available at* [*Statutory Declaration Forms - Datasets | Publications | Queensland Government*](https://www.publications.qld.gov.au/dataset/statutory-declaration)*. The information below should be used as a guide about the matters that are to be included when using the electronic form.*

# *Oaths Act 1867*

**QUEENSLAND**

|  |  |
| --- | --- |
| I, |       |
|  | (Insert full name of person making this declaration) |
| of, |       |
|  | (Street address of the person making this declaration) |
| on behalf of, |       |
|  | (Insert name of environmental authority holder) |
| do solemnly and sincerely declare that, having regard to the documentation provided to the administering authority on |       |
|  | (Insert date) |
| that the documentation demonstrates eligibility for financial discount on FA in accordance with the guideline ‘Financial assurance under the *Environmental Protection Act 1994*’ (ESR/2015/1758) for, |        |
|  |  (Insert relevant EA number) |
| for the upcoming period, |       |
|  | (Insert FA period) |

And that:

1. The documentation provided in the environmental authority holder’s previous year’s financial statements is accurate, complete and not misleading;
2. The information provided in the previous year’s financial statements is for the environmental authority holder for which I am an authorised representative and is accurate and in accordance with the Australian Accounting Standards or the International Accounting Standards;
3. The costs of the scheduled rehabilitation for the environmental authority (in the upcoming FA period) have been adequately budgeted or accounted for;
4. There are reasonable grounds to believe that the environmental authority holder for which I am an authorised representative will be able to pay its debts when/if they become due and payable;
5. I understand that it is an offence under section 480 of the *Environmental Protection Act 1994* to give to the administering authority or an authorised person a document containing information that I know, or ought reasonably to know, is false or misleading in a material particular.
6. I understand that under section 480A of the *Environmental Protection Act 1994* that, if I am required to give a document to the administering authority or an authorised person, it is an offence to give a document that I know, or ought reasonably to know, contains incomplete information in a material particular.

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

|  |
| --- |
| I declare that the contents of this statutory declaration are true and correct. Where the contents of this declaration are based on information and belief, the contents are true to the best of my knowledge and I have stated the source of that information and grounds for the belief.I understand that it is a criminal offence to provide a false matter in a declaration, for example, the offence of perjury under section 123 of the Criminal Code. |

|  |  |
| --- | --- |
| Taken and declared before me, at |       |
|  |  | (Insert location) |
| this  |       | day of |       | in the year |       |
|  | (Insert day, e.g. 18th) |  | (Insert month) |  | (Insert year) |
|  |  |  |
| Signed |  | Signed |
| (Person making this declaration) |  | (Cross out whichever is not applicable) Justice of the Peace / Commissioner for Declarations / Solicitor / Barrister |
|  |  |       |
|  |  | (Print name and registration number, if applicable)  |

**Please include this statutory declaration as supporting information required to demonstrate eligibility for a financial discount on FA. Please submit your completed application kit to the DESI office that services your environmental authority or alternatively submit to Permit and Licence Management.**

**Enquiries:**

Permit and Licence Management

Phone: 13 QGOV (13 74 68)

Email: palm@des.qld.gov.au

1. Joint holders must include the principal EA holder and any other joint venture holder/s required to ensure that a total of at least 51% of the joint holder interest is represented. [↑](#footnote-ref-1)