

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 judicial officer;
- an associate to a judicial officer;
- an honorary justice;
- the prothonotary or a deputy prothonotary of the Supreme Court;
- the registrar of probates or an assistant registrar of probates;
- the registrar or a deputy registrar of the County Court;
- the principal registrar, a registrar or a deputy registrar of the Magistrates' Court;
- the principal registrar, a registrar or a deputy registrar of the Children's Court;
- the principal registrar, deputy registrar or a registrar of VCAT;
- the principal registrar or a registrar of the Coroners Court;
- a member of VCAT;
- a member or former member of either House of the Parliament of Victoria;
- a member or former member of either House of the Parliament of the Commonwealth;
- a public notary;
- an Australian legal practitioner;
- a police officer of or above the rank of sergeant or for the time being in charge of a police station;
- a person employed under Part 3 of the *Public Administration Act 2004* with a prescribed classification;
- a senior officer of a Council as defined in the *Local Government Act 1989* ;
- a person registered as a patent attorney under Chapter 20 of the Patents Act 1990 of the Commonwealth;
- a fellow of the Institute of Legal Executives (Victoria) ACN 004 670 928;
- a person acting judicially;
- 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;
- any prescribed person or person who is a member of a prescribed class of persons.