



Statutory Declaration regarding a child ‘at risk’

Statutory Declarations Act 1959

NOTE: This form is a SmartForm designed to be used in Adobe Acrobat Reader. Adobe Acrobat Reader software must be set as the default program for .pdf documents. If you do not do this you may experience difficulties using this form. If you do not currently have the Adobe Acrobat Reader software program, it is available as a free download from the [Adobe website](#).

When to use this form

A child care provider can use this form to make a declaration that they are of the reasonable belief that a child meets the definition of ‘at risk’ for the purpose of the Additional Child Care Subsidy (ACCS) child wellbeing.

This form must only be used to support an application for an ACCS (child wellbeing) determination and only where the provider has been unable to source relevant third party evidence.

One form can be used to make a declaration for more than one child. All children must be from the same family and/or have the same carer. Any declaration made in Part B must equally apply to all children. Otherwise, separate declarations will be required.

How to use this form

The information you need to provide includes:

- Details about you and the child/ren – Part A
- Declaration that the child/ren is/are ‘at risk’ and that you have been unable to obtain third party evidence to support this – Part B
- Declaration that the information provided is true and correct – Part C.

The declaration must be signed by you and another person before whom statutory declarations may be made (as set out at the bottom of this form) and uploaded to the Child Care Subsidy System during the process of applying to Services Australia for an ACCS child wellbeing determination.

PART A

Declarant and child details

For the purposes of the Additional Child Care Subsidy child wellbeing, I:

Declarant

First and last name

Date of birth

Position

Child care provider name

make the following declaration with regard to the following child / children:

Child 1

First and last name

Date of birth

Child CRN

Child 2

First and last name

Date of birth

Child CRN

Child 3

First and last name

Date of birth

Child CRN

If required, you can add more children from the same family below:

PART B

1. Child 'at risk'

I declare that I am of the reasonable belief that the child/ren named above meet(s) the definition of 'at risk' as outlined in the Child Care Subsidy Minister's Rule 2017, Part 2, Division 2 ('When children are at risk of serious abuse or neglect for ACCS (child wellbeing)').

2. Actions taken

I understand that, wherever possible, third party evidence must be provided to support an application for an ACCS child wellbeing determination. I have undertaken the following steps to obtain third party evidence:

3. Third Party Evidence

I declare that, despite the efforts outlined above, I am unable to provide third party evidence to support the application for payment of the ACCS child wellbeing subsidy for this child / these children for the following reason(s):

Please tick all that apply.

The parents or carers do not agree to the release of the evidence.

The third party is unwilling or unable to provide the evidence.

I have been unable to identify a third party that would be able to provide relevant evidence.

Other – please specify:

PART C

Declaration

I declare that the information provided in this declaration is true and correct under the *Statutory Declarations Act 1959*.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Name

Signature

Date

Signature of person before whom the declaration is made (refer to attachment A)

Name

Address Name

Qualification

Signature

Date

Note 1: A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2: Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.

Attachment A

A statutory declaration under the Statutory Declarations Act 1959 may be made before—

1. a person who is currently licensed or registered under a law to practise in one of the following occupations:

Chiropractor	Medical practitioner	Patent attorney	Psychologist
Dentist	Nurse	Pharmacist	Trade marks attorney
Legal practitioner	Optometrist	Physiotherapist	Veterinary surgeon
2. a person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or
3. a person who is in the following list:
 - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
 - Bailiff
 - Bank officer with 5 or more continuous years of service
 - Building society officer with 5 or more years of continuous service
 - Chief executive officer of a Commonwealth court
 - Clerk of a court
 - Commissioner for Affidavits
 - Commissioner for Declarations
 - Credit union officer with 5 or more years of continuous service
 - Employee of the Australian Trade Commission who is:
 - a. in a country or place outside Australia; and
 - b. authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
 - c. exercising his or her function in that place
 - Employee of the Commonwealth who is:
 - a. in a country or place outside Australia; and
 - b. authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
 - c. exercising his or her function in that place
 - Fellow of the National Tax Accountants' Association
 - Finance company officer with 5 or more years of continuous service
 - Holder of a statutory office not specified in another item in this list
 - Judge of a court
 - Justice of the Peace
 - Magistrate
 - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
 - Master of a court
 - Member of Chartered Secretaries Australia
 - Member of Engineers Australia, other than at the grade of student
 - Member of the Association of Taxation and Management Accountants
 - Member of the Australasian Institute of Mining and Metallurgy
 - Member of the Australian Defence Force who is:
 - a. an officer; or
 - b. a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or
 - c. a warrant officer within the meaning of that Act
 - Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- a. the Parliament of the Commonwealth; or
- b. the Parliament of a State; or
- c. a Territory legislature; or
- d. a local government authority of a State or Territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961

Notary public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- a. the Commonwealth or a Commonwealth authority; or
- b. a State or Territory or a State or Territory authority; or
- c. a local government authority;
with 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- a. the Commonwealth or a Commonwealth authority; or
- b. a State or Territory or a State or Territory authority

Sheriff

Sheriff's officer

Teacher employed on a full-time basis at a school or tertiary education institution