

<p><b>To be inserted by Court</b></p> <p>Case Number:</p> <p>Date Filed:</p> <p>FDN:</p>
--

**AFFIDAVIT OF [FULL NAME OF DEPONENT] OF PROOF OF SERVICE MADE ON [DATE]**

[SUPREME/DISTRICT/MAGISTRATES/YOUTH/ENVIRONMENT RESOURCES AND DEVELOPMENT] Select one  
 COURT OF SOUTH AUSTRALIA  
 CRIMINAL JURISDICTION

**[FULL NAME]**  
 Informant/R/Appellant

v

**[FULL NAME]**  
 Defendant/Youth/Respondent

<b>Lodging party</b>	Party title	Full Name of party
Name of law firm/office <small>If applicable</small>	Law firm/office	Responsible Solicitor
Name of authorised officer <small>If body corporate and no law firm/office</small>	Full Name	

<b>Deponent Process Server</b>			
<b>Deponent</b> <small>the person who is making the affidavit</small>	Full Name		
<b>Address</b>	Street Address (including unit or level number and name of property if required)		
	City/town/suburb	State	Postcode
	Country		
<b>Phone Details</b>	Email address		
	Type (eg. Home; work; mobile) - Number		

**Affidavit of Service**

I, [full name],

swear on oath that:

do truly and solemnly affirm that:

1. I served the [party title] if any [name of person served] on [date] at [time] at [service location] with the [name, date and if applicable FDN and Order Identifier of document] in this matter provision for multiple documents served by [service method] eg for personal service – by handing it to the person served, who I identified as [name] by [how identified]
2. if applicable At the time of service the person served stated [record what the person served said].
3. [any other matter]
4. The [name, date and if applicable FDN and Order Identifier of document of document] provision for multiple documents served [is/are] exhibited to this Affidavit.

[Sworn/Affirmed] select one by the Deponent

At [place]

On [date]

.....  
Signature of Deponent

before me .....

Signature of attesting witness  
Must be an authorised witness – see rule 28.9 of the Joint Criminal Rules 2022

.....  
Printed name of witness

.....  
Qualification as authorised witness under section 27A(3) of the Oaths Act 1936.  
Stamp here if applicable

.....  
Identification of witness if applicable  
(ID number of Justice of the Peace; rank, identification number and “South Australia Police” for police officer)

Please ensure you have complied with instructions for completing an affidavit

### Instructions

- Please review the Code of Practice in relation to Affidavits published by the Attorney-General under s 33 of the *Oaths Act 1936* before completing this form.
- The person who makes the affidavit is called the deponent. The deponent makes the affidavit by taking an oath or affirmation in the presence of an authorised witness.
- Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2.
- Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness.
- A single 'front page' must be inserted in front of the exhibit(s) in Form 94.
- An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit.
- The declaration should be confined to facts and should not include submissions.
- The declaration should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found.
- An affidavit is to be sworn or affirmed in this State in accordance with section 6 of the *Evidence Act 1929* or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place.
- The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits ('the witness'). Persons authorised to witness an affidavit are:
  - (a) a Commissioner for taking affidavits in the Supreme Court;
  - (b) a justice of the peace;
  - (c) a police officer, other than a police officer who is a probationary constable;
  - (d) a person admitted and enrolled as a notary public of the Supreme Court;
  - (e) any other person of a class prescribed by regulation.
- The contents of the affidavit cannot be altered after the affidavit has been sworn or affirmed.
- If the deponent is illiterate or blind, see rule 28.7(6) of the Joint Criminal Rules 2022. If the deponent does not appear to understand English sufficiently, see rule 28.7(7) of the Joint Criminal Rules 2022