

Version No. 001
**Evidence (Affidavits and Statutory
Declarations) Regulations 2008**

S.R. No. 58/2008

Version as at 20 June 2008

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1 Objective

The objective of these Regulations is to prescribe classifications in the public service as classifications to which sections 107A and 123C of the **Evidence Act 1958** apply.

2 Authorising provision

These Regulations are made under section 152 of the **Evidence Act 1958**.

3 Commencement

These Regulations come into operation on 20 June 2008.

4 Revocation

The following regulations are **revoked**—

- (a) Evidence (Affidavits and Statutory Declarations) Regulations 1998¹;
- (b) Evidence (Affidavits and Statutory Declarations)(Amendment) Regulations 2001²;
- (c) Evidence (Affidavits and Statutory Declarations) (Amendment) Regulations 2002³;
- (d) Evidence (Affidavits and Statutory Declarations) (Amendment) Regulations 2003⁴;

- (e) Evidence (Affidavits and Statutory Declarations) (Amendment) Regulations 2004⁵.

5 Prescribed classifications in the public service

- (1) For the purposes of sections 107A(1)(y) and 123C(1)(gb) of the **Evidence Act 1958**, the following classifications in the public service are prescribed classifications—
- (a) Non-executive employee grades 2 to 6 (inclusive) and Senior Technical Specialist;
 - (b) Solicitor, Senior Solicitor, Principal Solicitor and Principal Solicitor (Team Leader);
 - (c) Executive (Level 1, Level 2 and Level 3);
 - (d) Principal Scientist or Principal Scientist Level PS-1 and PS-2;
 - (e) Science A to D (inclusive);
 - (f) Forensic Officer Level 2 to Level 7 (inclusive);
 - (g) Child Protection Worker CPW1 to CPW6 (inclusive);
 - (h) Juvenile Justice Worker JJW1 to JJW6 (inclusive);
 - (i) Housing Services Officer HSO;
 - (j) Senior Medical Adviser SMA;
 - (k) Disability Development and Support Officer DDSO4 to DDSO9 (inclusive);
 - (l) Custodial Officers COG4 to COG6 (inclusive).
- (2) In this regulation *public service* has the same meaning as in section 4(1) of the **Public Administration Act 2004**.
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6 Prescribed classifications in statutory authorities

For the purposes of section 107A(1)(y) of the **Evidence Act 1958**, an office specified in column 2 of the Table corresponding to a statutory authority specified in column 1 of the Table is prescribed—

TABLE

<i>Column 1</i>	<i>Column 2</i>
<i>Statutory Authority</i>	<i>Office</i>
Transport Accident Commission	Transport Accident Commission Officer (except Job Groups 1 and 2)

ENDNOTES

1. General Information

The Evidence (Affidavits and Statutory Declarations) Regulations 2008, S.R. No. 58/2008 were made on 17 June 2008 by the Administrator of the State of Victoria as the Governor's Deputy, with the advice of the Executive Council under section 152 of the **Evidence Act 1958**, No. 6246/1958 and came into operation on 20 June 2008: regulation 3.

The Evidence (Affidavits and Statutory Declarations) Regulations 2008 will sunset 10 years after the day of making on 17 June 2018 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Evidence (Affidavits and Statutory Declarations) Regulations 2008 by statutory rules, subordinate instruments and Acts.

3. Explanatory Detail

¹ Reg. 4(a): S.R. No. 70/1998. Reprint No. 1 as at 25 March 2004.
Reprinted to S.R. No. 131/2003 and subsequently amended by
S.R. No. 52/2004.

² Reg. 4(b): S.R. No. 105/2001.

³ Reg. 4(c): S.R. No. 13/2002.

⁴ Reg. 4(d): S.R. No. 131/2003.

⁵ Reg. 4(e): S.R. No. 52/2004.