**Requirements and Instructions for submitting a Statutory Declaration**

Film Victoria requires recipients of *Assigned Production Investment – Film & Television* *(API)* and the *Regional Location Assistance Fund (RLAF)* to make a Statutory Declaration confirming the actual Victorian spend or regional Victorian spend and number of Regional Shoot dates incurred by the Project.

The following pages contain templates for:

1. API projects
2. RLAF projects
3. Combined API and RLAF projects

Please use the appropriate template for your project and ensure that:

* A Director of the relevant Company completes all highlighted fields
* The form is printed out in hard copy
* The Company Director signs the form before an Authorised Witness\*
* The Authorised Witness provides their details (Name, Address and Title) and signature
* The completed form is scanned and provided to Film Victoria with other acquittal/remittance documentation.

\* A complete list of persons able to witness Statutory Declarations is available on the Department of Justice website <http://www.justice.vic.gov.au/home/justice+system/legal+assistance/statutory+declarations/>

# **STATUTORY DECLARATION (API)**

I, [*insert name and address*], do hereby solemnly and sincerely declare that:

1. I am a director of *[insert company name]* (**Company**).
2. The Company has complied with all of its obligations under the Assigned Production Investment Agreement dated [*insert date*] between the Company and Film Victoria (**Agreement**) for the project *[project name]* (**Project**).
3. The contents of the Final Cost Report submitted by the Company for the Project are true and correct.
4. The Company has incurred Victorian Spend of $*[insert amount]* directly in connection with the Project, as set out in the Final Cost Report.
5. (delete if funded prior to 1 April 2018) The Company has complied with all requirements of the *Victorian Screen Industry Code of Conduct* and *Australian Screen Industry Code of Practice: Discrimination, Harassment, Sexual Harassment and Bullying* throughout the production of the Project.

AND I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

|  |  |
| --- | --- |
| DECLARED at *[place e.g. Melbourne]* | Signature of person making declaration:    ………………..……………… ← |
| in the State of Victoria this *[day e.g. 20th ]* |
| day of *[month e.g. January]* |
| Two Thousand and *[year e.g. 20]* |
|  |  |
| Before me: |  |
| Name, Address and Title of Authorised Witness:  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ← |  |
| Signature of Authorised Witness:  ………………..…………………… ← |  |

The Authorised Witness must print or stamp his or her name, address and title under section 107A of the Evidence (Miscellaneous Provisions) Act 1958 (as of 1 January 2010), (previously Evidence Act 1958). Authorised Witnesses include:

* An Australian lawyer (within the meaning of the *Legal Profession Act* *2004*);
* Justice of the Peace;
* A senior officer of a council (as defined in the *Local Government Act* *1989*); or
* Any other person empowered under Section 107A of the *Evidence (Miscellaneous Provisions) Act* *1958*

# **STATUTORY DECLARATION (RLAF)**

I, [*insert name and address*], do hereby solemnly and sincerely declare that:

1. I am a director of *[insert company name]* (**Company**).
2. The Company has complied with all of its obligations under the Regional Location Assistance Fund Agreement dated [*insert date*] between the Company and Film Victoria (**Agreement**) for the project *[project name]* (**Project**).
3. The contents of the Final Cost Report submitted by the Company for the Project are true and correct.
4. The Company has incurred the Victorian Regional Spend of $*[insert amount]* directly in connection with the Project, as set out in the Final Cost Report.
5. The Company confirms that is has fulfilled its requirements to accommodate the majority of crew/cast in proximity to the regional filming location for a minimum of five (5) days during principal photography.

AND I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

|  |  |
| --- | --- |
| DECLARED at *[place e.g. Melbourne]* | Signature of person making declaration:    ………………..……………… ← |
| in the State of Victoria this *[day e.g. 20th ]* |
| day of *[month e.g. January]* |
| Two Thousand and *[year e.g. 20]* |
|  |  |
| Before me: |  |
| Name, Address and Title of Authorised Witness:  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ← |  |
| Signature of Authorised Witness:  ………………..…………………… ← |  |

The Authorised Witness must print or stamp his or her name, address and title under section 107A of the Evidence (Miscellaneous Provisions) Act 1958 (as of 1 January 2010), (previously Evidence Act 1958). Authorised Witnesses include:

* An Australian lawyer (within the meaning of the *Legal Profession Act* *2004*);
* Justice of the Peace;
* A senior officer of a council (as defined in the *Local Government Act* *1989*); or
* Any other person empowered under Section 107A of the *Evidence (Miscellaneous Provisions) Act* *1958*

# **STATUTORY DECLARATION (API & RLAF)**

I, [*insert name and address*], do hereby solemnly and sincerely declare that:

1. I am a director of *[insert company name]* (**Company**).
2. The Company has complied with all of its obligations under the Assigned Production Investment and Regional Location Assistance Fund Agreements dated [*insert date*] and [*insert date*] respectively between the Company and Film Victoria (**Agreement**) for the project *[project name]* (**Project**).
3. The contents of the Final Cost Report submitted by the Company for the Project are true and correct.
4. The Company has incurred Victorian Spend of $*[insert amount]* directly in connection with the Project, as set out in the Final Cost Report.
5. The Company has incurred the Victorian Regional Spend of $*[insert amount]* directly in connection with the Project, as set out in the Final Cost Report.
6. The Company confirms that is has fulfilled its requirements to accommodate the majority of crew/cast in proximity to the regional filming location for a minimum of five (5) days during principal photography.
7. (delete if funded prior to 1 April 2018) The Company has complied with all requirements of the *Victorian Screen Industry Code of Conduct* and *Australian Screen Industry Code of Practice: Discrimination, Harassment, Sexual Harassment and Bullying* throughout the production of the Project.

AND I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

|  |  |
| --- | --- |
| DECLARED at *[place e.g. Melbourne]* | Signature of person making declaration:    ………………..……………… ← |
| in the State of Victoria this *[day e.g. 20th ]* |
| day of *[month e.g. January]* |
| Two Thousand and *[year e.g. 20]* |
|  |  |
| Before me: |  |
| Name, Address and Title of Authorised Witness:  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ←  ………………..…………………… ← |  |
| Signature of Authorised Witness:  ………………..…………………… ← |  |

The Authorised Witness must print or stamp his or her name, address and title under section 107A of the Evidence (Miscellaneous Provisions) Act 1958 (as of 1 January 2010), (previously Evidence Act 1958). Authorised Witnesses include:

* An Australian lawyer (within the meaning of the *Legal Profession Act* *2004*);
* Justice of the Peace;
* A senior officer of a council (as defined in the *Local Government Act* *1989*); or
* Any other person empowered under Section 107A of the *Evidence (Miscellaneous Provisions) Act* *1958*