

Statutory Declaration

(Magistrates' Courts Act 1980, section 14; Criminal Procedure Rules, rule 37.11)

(Name of) **Magistrates' Court**

Case No.:

R. v *(name of defendant)*

I *(name)*

of

.....*(address)*

do solemnly and sincerely declare that:—

1. I am the defendant named above.
2. I now know that the hearing in this case began on or about *(date)*.
3. I did not find out about the case until *(date)*, and I want the court to set the hearing aside.
4. I found out about the case because: [*Explain briefly how you found out. If you need more space, use the back of this form.*]

And I make this solemn declaration conscientiously believing it to be true, under the provisions of the Statutory Declarations Act 1835.

[WARNING. Under section 5 of the Perjury Act 1911, if you knowingly and wilfully make a statutory declaration that is false in a material particular, then you are guilty of an offence, and liable on conviction to a term of imprisonment for up to 2 years, or to a fine, or both.]

Signed: *(signature of person making the declaration)*

Date:

Declared before me :

Signed: **(a Justice of the Peace)**

Name (in block letters): Date:

NOTE. You must:

- Fill in the name of the magistrates' court that heard the case, the case number (if you know it) and your own name and address.
- Complete paragraphs 2, 3 and 4 above.
- Make the declaration before a Justice of the Peace (you can ask for help at a magistrates' court office).
- Send or give the completed declaration to the magistrates' court office **at the court which heard the case**, so they receive it **not more than 21 days after you found out about the case**. (The court may extend that time limit, **but if your declaration is late you must explain why.**)