



Australian Government

Department of Health

Commonwealth of Australia
Statutory Declaration
Statutory Declarations Act 1959

Compliance Audit - Exceptional Circumstances Statutory Declaration

Read these instructions carefully before completing the attached statutory declaration.

Purpose of this form

Under the *Health Insurance Act 1973* and the *Dental Benefits Act 2008*, you have the opportunity to provide details about any circumstances you encounter that are beyond your control which prevent you from substantiating claimed Medicare or Child Dental Benefits Schedule (CDBS) services.

If your circumstances affect your ability to substantiate claimed Medicare services, you must tell the Australian Government Department of Health immediately.

Please note that the responsibility of proving to the Department of Health that your circumstances are beyond your control lies with you.

For more information

If you need assistance completing this form go to the website www1.health.gov.au/internet/main/publishing.nsf/Content/compliance-audits-and-review#5 or email compliance.review@health.gov.au.

Instructions

You must complete the statutory declaration and provide the following information to us:

- full name of the person making the statutory declaration
- address details
- provider number (if applicable)
- compliance audit details (if applicable), and
- a description of the circumstances that are beyond your control.

The statutory declaration must be witnessed and signed by an authorised person. A list of authorised persons is attached.

Filling in this form

- **Please use black or blue pen**
- Print in BLOCK LETTERS

Returning your form

Send the completed statutory declaration to:

**Provider Benefits Integrity
Benefits Integrity & Digital Health Division - MDP 659
PO Box 9848
CANBERRA ACT 2601**

Privacy notice

Your personal information is protected by law, including the Privacy Act 1988, and is collected by the Australian Government Department of Health for the assessment and administration of payments and services, including compliance actions. This information is required to process your application or request.

Your information may be used by the department or given to other parties for the purposes of research, investigation or where you have agreed or it is required or authorised by law. You can get more information about the way in which the Department of Health will manage your personal information, including our privacy policy at health.gov.au/privacy or by requesting a copy from the department.

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959

1 *Insert the name, address and occupation of person making the declaration*

I,¹
of

make the following declaration under the *Statutory Declarations Act 1959* :

2 *Set out matter declared to in numbered paragraphs (strike out whichever is not applicable)*

- (a). My provider number is
- (b). I have received a written request to substantiate claimed Medicare or CDBS services or payments and if applicable, the reference number (CSE) for the compliance audit is
- (c). The following circumstances exist which prevent me from substantiating the claimed Medicare or CDBS services
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-
-
-

(strike out whichever is not applicable)

(d). I (have/have not) included additional information to be considered as part of my declaration and if applicable, I have attached (state number) _____ extra sheet/s. These circumstances preventing me from substantiating claimed Medicare or CDBS services are beyond my control.

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.

3 *Signature of person making the declaration*

3

4 *Place*
5 *Day*

Declared at ⁴ on⁵ of⁶

6 *Month and year*

Before me,

7 *Signature of person before whom the declaration is made (see over)*

7

8 *Full name, qualification and address of person before whom the declaration is made (in printed letters)*

8

.....

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Note 1 A person who intentionally makes a false statement in a 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*.

According to the *Statutory Declarations Act 1959* a statutory declaration 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
 - dentist
 - legal practitioner
 - medical practitioner
 - nurse
 - optometrist
 - patent attorney
 - pharmacist
 - physiotherapist
 - psychologist
 - trade marks attorney, **or**
 - 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).
- (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
 - (b) authorised under Paragraph 3(d) of the *Consular Fees Act 1955*
 - (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*
 - (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
 - (b) a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service
 - (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
 - (b) the parliament of a state
 - (c) a territory legislature
 - (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
 - (b) a state or territory or a state or territory authority
 - (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
 - (b) a state or territory or a state or territory authority
- sheriff
- sheriff's officer, **or**
- teacher employed on a full-time basis at a school or tertiary education institution.