## **Affidavit of Compliance**

DUE 21 days prior to admission sitting

All applicants are required to file an affidavit of compliance in the Supreme Court Registry and serve a sealed copy on the Board. The purpose of your affidavit of compliance is to depose to and exhibit all information /documentation relating to the requirements of applying for admission, which is filed in the Supreme Court and constitutes the evidence considered by the Board and Court when it determines your application.

1. An affidavit is a UCPR Form 46 and certificates of exhibit are a UCPR Form 47; these forms can be found on the [Queensland Courts website](http://www.courts.qld.gov.au/forms). Please also see a QLD Courts fact sheet regarding affidavits [here](https://www.courts.qld.gov.au/__data/assets/pdf_file/0008/781064/preparing-an-affidavit-fact-sheet.pdf).
2. The header of your affidavit MUST be the header you have used on your Originating Application (Form 1) in place of the template header (see further information in the FAQs).
3. You **MUST** depose to the following:
	* ***fulsome details*** of all matters of eligibility in accordance with section 30 (completion of your academic qualifications and practical legal training, and your English language proficiency);
	* ***fulsome details*** of all suitability matters (see further information below);
	* ***fulsome details*** of your compliance with Rules 11, 12, and 13 of the *Supreme Court (Admission) Rules 2004* (i.e. by making a positive statement as to your completion of each aspect of the relevant Rules).
4. You **MUST** exhibit to your affidavit documentation, **including but not limited to**, the following:
* your official academic transcript and PLT certificate;
* your Statement of Eligibility and Suitability (Form 7) and any supplementary Form 7/s;
* all documents relating suitability matters as detailed in and provided with your Form 7
* evidence of any other names (if applicable);
* each of your three Certificates of Suitability (Form 8);
* your English Language Proficiency Statement (Form 15);
* any correspondence from the Board (i.e. formal letters received prior to admission)
* your QLR advertisement, or official tax invoice, clearly displaying the publication date **(not a copy of your submitted notice)**; and
* your receipt for payment of the Board’s fee.
1. After preparing your affidavit of compliance and having it sworn/affirmed, you need to attend the Supreme Court Registry and file your **ORIGINAL** affidavit (including exhibits). You must take with you the **original and at least one copy**; the original will be retained by the Registry and one copy will be returned to you by the Registry staff.
2. The Registry staff will stamp (seal) and retain your original for your Court file, as well as stamp the copy which will be returned to you to be retained by you. You MUST scan your sealed affidavit and **serve a copy on the Board at least 21 days prior to the admission sitting.**
3. You **MUST** provide a sealed copy in its entirety as filed in court (including exhibits) **in one PDF document**. Regardless of whether you have previously provided documents to the Board as part of your admission application, in order to consider your application, the Board requires an exact copy of your affidavit (including exhibits) as filed in the Supreme Court Registry. It is inappropriate to serve your affidavit attaching each exhibit separately as it is not for the Board to put your affidavit together for your file.

**Addressing Suitability for Admission:**

If you do not have any suitability matters to disclose, you will need to depose a positive statement to this fact.

However, your Affidavit of Compliance should NOT contain any additional information or documentation as you should have already disclosed and provided this to the Board in your Form 7 (i.e. by the time you provide your Affidavit, you MUST have disclosed and explained ALL suitability matters initially as part of your Form 7 and provided ALL supporting documentation (evidence) with your Form 7).

The information contained in your Form 7 MUST then be detailed in your affidavit . If you are asked to complete a supplementary Form 7, you will need include the information from both Form 7s in your affidavit (Form 46).

**Please note the information in your Form 7, and documentation only served on the Board, is NOT before the Court or on the Court file UNTIL you depose to/exhibit it in your affidavit of compliance.**

**All applicants MUST:**

* Review the affidavit instructions in conduction with reviewing these Form 7 instructions;
* READ the Supplement Admission Kit;
* Take into consideration that, when speaking to the Board’s staff, all communications should be treated as if you are speaking to the Board itself;
* Be mindful of how you approach the Board’s staff as inappropriate behavior and language will not be tolerated; the Board will be informed of any inappropriate behavior and language and this may impact its assessment of your suitability for admission;

**Assistance with preparing your affidavit of compliance**:

The Board’s staff are not able to assist you with preparing your affidavit of compliance as this constitutes giving legal advice. It is not appropriate to ask the Board’s staff (some of who are administrative staff only) for clarification on how to complete your affidavit of compliance – by this stage, you have undertaken study in Civil Procedure and Evidence as part of your law degree, and you most likely will have studied affidavits within your PLT program.

If you are still unclear as to how to prepare your affidavit of compliance and have any questions regarding the format or content of your affidavit after reviewing the Board’s affidavit instructions, it is recommended you **approach your PLT provider and/or your mover for assistance**, or alternatively **seek independent legal advice**.

**Additional Information:**

* Please do not exhibit the Board’s instructions to your affidavit of compliance
* Your affidavit of compliance is required to be filed at the Registry and served on the Board at least 21 days prior to the admission sitting (preferably in one attachment). If you are unable to email your affidavit as one attachment, you can split it into parts (approximately two to three parts) and scan each part separately. However, please do not split your exhibits into multiple separate exhibits;
* It is not appropriate to swear or affirm an affidavit, and then swap documents already exhibited to your affidavit with other or additional documents;
* Apart from your Originating Application (Form 1), your affidavit of compliance is the only other document on your Court file. This means that if for any reason your application needs to be reviewed by the Court, only the material filed in the Registry is available for the Court to review. The information and documents you have provided to the Board (e.g. your Form 7 and Form 8’s) **are not on the Court file UNLESS they are exhibited to your affidavit**; this is why you need to ensure you have addressed **all matters** of eligibility, suitability and compliance with the Admission Rules in your affidavit and include the necessary exhibits;
* You need to ensure that all of these matters of eligibility, suitability and compliance are addressed **within the body** of your affidavit, i.e. it is insufficient to simply refer to exhibited documents such as, for example, your Form 7 or Traffic Record *‘for more information’*. If for whatever reason you need to amend your affidavit, or provide additional information or documents with your affidavit, you will need to prepare, file and serve a supplementary affidavit (please see below);
* Please refrain from exhibiting affidavits to affidavits, for example, affidavits from persons attesting to your character. If you need to provide more than one affidavit prepared by yourself or by someone else, then you need to **file BOTH affidavits as separate documents**.

## **Supplementary Affidavit**

If your affidavit does not include all necessary information and/or documentation, a representative from the Board will contact you and ask you to provide a supplementary affidavit. A supplementary affidavit should **NOT** repeat all information and exhibits deposed to in your first affidavit, as this is already on your Court file. You will simply prepare a further UCPR Form 46 and/or Form 47 to address and/or exhibit the additional information requested.

## **Payment of the Board’s fee for consideration of your application**

DUE 21 days prior to admission sitting

Applicants will receive an email from no-reply@bpoint.com.au requesting payment of the Board's fee. This email be **issued to** the email address included on their Form 1, and will contain a link to arrange payment of the Board’s fee by debit/credit card to be processed through a secure BPoint payment portal.

Once your payment is approved, you must ensure you save a copy of the receipt for your records. You should exhibit a copy of your receipt to your affidavit of compliance as evidence of compliance with Rule 13(3)(b) of the *Supreme Court (Admission) Rules 2004*.

However, **if you swear/affirm your affidavit of compliance before receiving the BPoint link**, you should at least depose in your affidavit that you intend paying the Board’s fee in compliance with Rule 13(3)(b). In these circumstances, once you have paid the Board’s fee, you **MUST** provide a copy of the receipt to the Board via email for inclusion in the Board’s file for your application.

**Please be advised the Board's staff issue payment links by close of business (5pm), 31 days prior to the sittings. The Board's staff are unable to issue payment links prior to this date therefore, please only contact the Board if you do** **not receive a link by close of business 31 days prior to the sittings.**

If your personal details are incorrect within the link, please contact the Board to reissue you a link.

If you are seeking admission and your firm wishes to make a bulk payment (i.e. for three or more applicants), please see information on our website [here](https://www.qls.com.au/Legal-Practitioners-Admissions-Board/Admission-sittings).