

Affidavit Checklist

This checklist is a guide to assist parties. It is the responsibility of the issuing party to ensure they comply with all requirements under the *Industrial Relations Act 1996* (NSW), *Industrial Relations Commission Rules 2022* (NSW) and *Uniform Civil Procedure Rules* (UCPR).

- Download [IRC 43 - Affidavit](#).
- I have completed the title page of the affidavit:
 - Court or Commission details;
 - appellant, applicant, notifier or prosecutor's full name;
 - respondent or defendant's full name;
 - filing details including contact name, street address, phone number and email address;
 - cross out or delete anything that is irrelevant.
- I have completed the preamble of the affidavit:
 - full name of the deponent;
 - address (must be a physical address and not a post office box or care of address);
 - date;
 - oath/affirmation – 'I say on oath' or 'I affirm', and cross out or delete whichever is not relevant;
 - occupation of deponent and, if needed, state the deponent is authorised to make the affidavit on behalf of a corporation.
- I have clearly and succinctly addressed one issue per paragraph, and ensured each paragraph is numbered sequentially.
- I have addressed all elements of the evidence and presented them in a logical or chronological sequence.
- The evidence presented in the affidavit is relevant, legally obtained and supports my submissions.

- The evidence in the affidavit does not include:
 - arguments or submissions about the legislation, regulations, rules or case law;
 - assumptions, unfounded allegations, gossip or personal attacks;
 - statements about what the Commission should do or decide;
 - anything that you do not know yourself to be true.
- The affidavit only includes facts that are within my own personal knowledge or experience.
- The affidavit is in the correct format:
 - evidence presented in numbered paragraphs;
 - annexures are clearly labelled with a letter and introduced correctly in the affidavit;
 - all pages of the affidavit, including annexures, have been numbered;
 - 1.5 spacing and at least 11 pt font.
- The section for formal signing and witnessing (the jurat) has been completed in full by both the deponent and witness.
- There is at least one paragraph of text/evidence on the page above the jurat (the jurat must not be on a page alone).
- The author of the affidavit and authorised witness have signed each page of the affidavit.
- I have read and complied with [Practice Note No 33 on the Use of GenAI](#) and the AI paragraphs of the affidavit have been filled in and the irrelevant information from the template has been struck through or deleted.
- I have filed the affidavit in accordance with the [Commission's Rules](#) and [Practice Notes](#).