

Statutory Declaration

I[Full Name]
of.....[Address]
.....[Occupation] make the following declaration under the
Statutory Declarations Act 1959: -

1. I am the [position] of [company]
("The Company").

2. The Company has used the following names incorporating the word "Linux" in association with
its products or services since the approximate dates specified:

..... [product] [date]
..... [product] [date]

3. The Company does not claim any right to the exclusive use of the word "Linux".

4. The Company understands Linus Torvalds to be the founder of the Linux operating system and
the proprietor of the trade mark "Linux" internationally.

5. At all times The Company believed that its use of the word "Linux" in the manner described
above was under license of Linus Torvalds.

6. The Company supports Linus Torvalds' application for registration of the trade mark "Linux" in
Australia.

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*¹, and I believe that the
statements in this declaration are true in every particular.

.....[Signature of person making the declaration]

Declared at[place] on..... [day]
of..... [month] 20..... [year]

Before me,.....[Signature of person before whom the declaration is made]
.....[Full name][address]
and[qualification²] of person before whom the
declaration is made (in printed letters)

¹ See Note 1

² Choose from list in Note 2

Note 1 – A person must not intentionally make a false statement in a statutory declaration. Penalty Imprisonment for 4 years.

Note 2 – List of persons qualified to be a witness:

A statutory declaration under the *Statutory Declarations Act 1959 (as amended)* (“the Act”) may be made only before:

1. person who is currently licensed or registered under a law to practise in one of the following occupations
 - a. Chiropractor
 - b. Dentist
 - c. Legal practitioner
 - d. Medical practitioner
 - e. Nurse
 - f. Optometrist
 - g. Patent attorney
 - h. Pharmacist
 - i. Physiotherapist
 - j. Psychologist
 - k. Trade marks attorney
 - l. 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); or
3. a person who is in the following list;
 - a. Agent of the **Australian Postal Corporation** who is in charge of an office supplying postal services to the public;
 - b. Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*);
 - c. Bailiff;
 - d. Bank officer with 5 or more continuous years of service;
 - e. Building society officer with 5 or more years of continuous service;
 - f. Chief executive officer of a Commonwealth court;
 - g. Clerk of a court;
 - h. Commissioner for Affidavits;
 - i. Commissioner for Declarations;
 - j. Credit union officer with 5 or more years of continuous service ;
 - k. Employee of the **Australian Trade Commission** who is:
 - i. in a country or place outside Australia; AND
 - ii. authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; AND
 - iii. exercising his or her function in that place;
 - l. Employee of the Commonwealth who is:
 - i. in a country or place outside Australia; AND
 - ii. authorised under paragraph 3 (c) of the *Consular Fees Act 1955*; AND
 - iii. exercising his or her function in that place;
 - m. Fellow of the **National Tax Accountants' Association**;
 - n. Finance company officer with 5 or more years of continuous service;
 - o. Holder of a statutory office not specified in another item in this list;
 - p. Judge of a court;
 - q. Justice of the Peace;
 - r. Magistrate;
 - s. Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*;
 - t. Master of a court;
 - u. Member of **Chartered Secretaries Australia**;
 - v. Member of **Engineers Australia**, other than at the grade of student;
 - w. Member of the **Association of Taxation and Management Accountants**;
 - x. Member of the **Australian Defence Force** who is:
 - i. an officer; OR
 - ii. a non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; OR
 - iii. a warrant officer within the meaning of that Act;
 - y. Member of the **Institute of Chartered Accountants in Australia**, the **Australian Society of Certified Practising Accountants** or the **National Institute of Accountants**;
 - z. Member of Parliament of the Commonwealth;
 - aa. Member of Parliament of a State;
 - bb. Member of a Territory legislature;
 - cc. Member of a local government authority of a State or Territory;
 - dd. Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*;

- ee. Notary public;
- ff. 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
- gg. Permanent employee of:
 - i. the Commonwealth or a Commonwealth authority; or
 - ii. a State or Territory or a State or Territory authority; or
 - iii. a local government authority;with 5 or more years of continuous service who is not specified in another item in this list;
- hh. Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made;
- ii. Police officer;
- jj. Registrar, or Deputy Registrar, of a court Senior Executive Service employee of:
 - i. the Commonwealth or a Commonwealth authority; or
 - ii. a State or Territory or a State or Territory authority;
- kk. Sheriff;
- ll. Sheriff's officer;
- mm. Teacher employed on a full-time basis at a school or tertiary education institution