

## AFFIDAVIT OF DEBT FORM

In the : .....[Insert court eg Local]

Issued at : .....[Insert court location]

Number : .....[Insert Plaintiff No & year]

Plaintiff : .....[Insert name of claimant]

Defendant : .....[Insert name of defendant]

On the .....[Insert date]

I, .....[Insert name]

Of .....[Insert address]

say on oath:

1. I am the plaintiff / the .....  
*[Insert position such as managing director/secretary/accountant]*  
of the plaintiff and am in a position to know the facts attested hereto;  
*[Delete that is not applicable.]*
2. This affidavit is made pursuant to section 25 of the *Building and Construction Industry Security of Payment Act 1999 NSW* to accompany an adjudication certificate for an adjudicated amount of \$ ..... *[Insert amount]*.
3. The adjudication certificate is dated.....*[Insert date]* and was issued by Adjudicate Today.
4. The defendant has not paid the plaintiff the full adjudicated amount at the date hereof, and the unpaid part of the adjudicated amount is \$ .....*[Insert amount]*

Sworn at: .....*[Insert Court]*

On: .....*[Insert Date]*

Before me: .....*[Insert Name]*

Signature: .....

Officer of the Court / Justice of the Peace / Solicitor *[Delete the titles that are not applicable]*

**GUIDE NOTES:**

1. Indicate the court where the affidavit is to be lodged. For example the Local Court (Civil Claims), Local Court, District Court or the Supreme Court.
2. The affidavit is to accompany the filing of an adjudication certificate. It must be sworn on the day upon which the adjudication certificate is filed in the court. Usually, there will be an officer of the court before whom the affidavit can be sworn. It can also be sworn before a Justice of the Peace or a solicitor.
3. This sample form is provided to assist a claimant to make an affidavit. Use of this form is not mandatory.