

FOR USE IN CERTIFICATION WHERE THE PERSON(S)  
SIGNING IS THE DIRECT BORROWER FROM THE LENDER  
OR A SECURITY PROVIDER REFERRED TO IN THE  
DOCUMENTS AS THE BORROWER



**LAW  
INSTITUTE  
VICTORIA**

(Schedule 1) July 2015

# Australian Legal Practitioner's Certificate 1

## PART A

TO:

THIS CERTIFICATE IS PROVIDED BY:

*An Australian legal practitioner holding a current practising certificate under the Legal Profession Uniform Law (Victoria) and not acting for you in this transaction*

I HAVE BEEN ASKED TO INTERVIEW:

(called "the borrower")

I HAVE BEEN PROVIDED WITH THE FOLLOWING DOCUMENTS:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

## PART B EXPLANATIONS GIVEN BY THE AUSTRALIAN LEGAL PRACTITIONER

I explained to the borrower, before the borrower signed the documents, the general nature and effect of the documents required to be signed by the borrower including the risk of loss of any security property and other assets owned by the borrower.

## PART C EXCLUDED EXPLANATIONS

I INFORMED the borrower in very clear terms that I was not expressing any opinion nor advising on:

- the viability of the transaction; and
- the borrower's ability to make the required payments to you.

I FURTHER INFORMED the borrower that if in any doubt on those aspects the borrower should obtain independent financial advice before signing the documents.

**PART D STATEMENTS BY THE PERSONS SIGNING DOCUMENTS**

FOLLOWING THE ABOVE EXPLANATIONS, the borrower stated to me:

- that he/she/they understood the general nature and effect of the documents. It appeared to me that they did have such understanding;
- that he/she/they were signing these documents freely, voluntarily and without pressure from any other person.

**PART E IDENTIFICATION OF PERSONS SIGNING DOCUMENTS**

The following evidence of identification was produced to me by the borrower:

((1)

(2)

(3)

(4)

(5)

(6)

**PART F TRANSLATION/INTERPRETATION**

An independent interpreter,  was present at this interview with the borrower and interpreted the statements made by all parties. A certificate by the interpreter is held by me.

**AUSTRALIAN LEGAL PRACTITIONER'S CERTIFICATE**

I CERTIFY the above information.

SIGNED:  DATED:

**CLIENT'S CERTIFICATE**

I CERTIFY that:

- I have been handed a copy of this certificate.
- I have read this certificate.
- I am the client named.
- The above information is true.

SIGNED:  DATED:



# Certificate By Translator/Interpreter

**THIS CERTIFICATE IS PROVIDED BY:**

(name)

of

(address)

(occupation)

(1) On the

day of

20

I attended a meeting at the office of

Present at the meeting were

and

(2) I spoke to

in the

language and I established that is their customary language.

3) I am fluent in the English language and the

language and I am competent to translate between both those languages.

(4) In the presence of

and

before any documents were signed, I translated the explanations by the Australian legal practitioner and the

statements made by

from the English language to the

language and from the

language to the English language.

(5) It was stated by

that they understood the matters translated and they did appear to me to so understand.

(6) I am independent of and not related to

DATED:

SIGNED:

FOR USE IN CERTIFICATION WHERE THE PERSON(S)  
SIGNING IS A THIRD PARTY, GUARANTOR, SURETY  
MORTGAGOR OR INDEMNIFIER FOR THE PRINCIPAL  
BORROWER



**LAW  
INSTITUTE  
VICTORIA**

(Schedule 2) July 2015

# Australian Legal Practitioner's Certificate 2

## PART A

TO:

THIS CERTIFICATE IS PROVIDED BY:

*An Australian legal practitioner holding a current practising certificate under the Legal Profession Uniform Law (Victoria) and not acting for you in this transaction*

I HAVE BEEN ASKED TO INTERVIEW:

(called "the guarantor")

I HAVE BEEN PROVIDED WITH THE FOLLOWING DOCUMENTS:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

## PART B EXPLANATIONS GIVEN BY THE AUSTRALIAN LEGAL PRACTITIONER

I CERTIFY that in the absence of the borrower and before the guarantor signed the documents, I EXPLAINED to the guarantor:

- the general nature and effects of the documents required to be signed by the guarantor;
- that if the borrower defaults in payment or in other obligations to you the guarantor would be liable to make good that default which could involve all amounts owed by the borrower to you and substantial arrears of interest; and
- that the giving of a guarantee involves considerable risk, including the risk of losing any security, property and other assets and requires very careful thought.

**PART C EXCLUDED EXPLANATIONS**

I INFORMED the guarantor in very clear terms that I was not expressing any opinion nor advising on:

- the viability of the transaction which the borrower was undertaking;
- the borrower’s ability to make the required payments to you; and
- the client’s (guarantor’s) ability to make payment to you.

I FURTHER INFORMED the guarantor that if in any doubt on those aspects the guarantor should obtain independent financial advice before signing the documents.

**PART D STATEMENTS BY THE PERSONS SIGNING DOCUMENTS**

FOLLOWING THE ABOVE EXPLANATIONS, the guarantor stated to me:

- that he / she / they understood the general nature and effect of the documents and the obligations and risks involved in signing those documents. It appeared to me that they did have such understanding;
- that he / she / they were signing these documents freely, voluntarily and without pressure from the borrower or any other person.

**PART E IDENTIFICATION OF PERSONS SIGNING DOCUMENTS**

The following evidence of identification was produced to me by the guarantor:

(1)

(2)

(3)

(4)

(5)

(6)

**PART F TRANSLATION/INTERPRETATION**

An independent interpreter,  was present at this interview with the borrower and interpreted the statements made by all parties. A certificate by the interpreter is held by me.

**AUSTRALIAN LEGAL PRACTITIONER’S CERTIFICATE**

I CERTIFY the above information. The borrower was not present during my interview with the guarantor.

SIGNED:  DATED:

**CLIENTS CERTIFICATE**

I CERTIFY that;

- I have been handed a copy of this certificate.
- I have read this certificate.
- I am the client named.
- The above information is true.

SIGNED:  DATED:



# Certificate By Translator/Interpreter

**THIS CERTIFICATE IS PROVIDED BY:**

(name)

of

(address)

(occupation)

(1) On the

day of

20

I attended a meeting at the office of

Present at the meeting were

and

(2) I spoke to

in the

language and I established that is their customary language.

3) I am fluent in the English language and the

language and I am competent to translate between both those languages.