

**Appendix H – Forms**

**Statutory Declaration**

IN THE MATTER OF an Engineering, Procurement and Construction Management Contract bearing no. \_\_\_\_\_ and dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Between:

\_\_\_\_\_  
(Insert full name of Owner) and

\_\_\_\_\_  
(Insert full name of Contractor)

hereinafter referred to as the “Contractor”,

for \_\_\_\_\_  
(Description and location of work)

\_\_\_\_\_,  
and IN THE MATTER OF (INDICATE BY checkmark in APPLICABLE BOX)

- a Progress Claim covering work done up to the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_
- the Functional Completion Certificate
- the Final Completion Notice

WITNESS:

I, \_\_\_\_\_, of \_\_\_\_\_  
(Print or type name of Declarant) (Declarant's city/town and province of residence)

do solemnly declare:

(1) that I am \_\_\_\_\_  
(Print or type Declarant's title or position with the Contractor)

and as such have personal knowledge of the Contract and of the facts and matters stated herein.

(INDICATE BY checkmark in APPLICABLE BOX)

- that, up to the date of the attached progress claim, the Contractor has complied with all its lawful obligations to its workers in respect of the work contracted for and has discharged all of its lawful obligations to its subcontractors and its suppliers except for the amounts owing which total \$ \_\_\_\_\_ (if nil, state nil). A detailed explanatory statement of the amounts owing, including any amounts in dispute must be attached as part of this Statutory Declaration; or
- that, up to the date hereof, the Contractor has complied with all its lawful obligations to its workers, its subcontractors and its suppliers in



respect of the work contracted for and to all tax authorities respecting the payment of all applicable taxes arising from or related to the performance of the work under the Contract, except for the amounts owing which total \$\_\_\_\_\_ (if nil, state nil). A detailed explanatory statement of the amounts owing, including any amounts in dispute must be attached as part of this Statutory Declaration; or

that, up to the Final Completion Notice, the Contractor has complied with all its lawful obligations to its workers, its subcontractors and its suppliers in respect of the work contracted for and discharged and satisfied all lawful claims against it that arose out of the performance of this Contract except for the amounts owing which total \$\_\_\_\_\_ (if nil, state nil). A detailed explanatory statement of the amounts owing, including any amounts in dispute must be attached as part of this Statutory Declaration.

And I make this SOLEMN DECLARATION conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

**DECLARED** before me at \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature of person before whom the Declaration is made)

\_\_\_\_\_  
(Print name of person before whom the Declaration is made)

\_\_\_\_\_  
A Notary Public, Commissioner for Oaths etc.

\_\_\_\_\_  
(Please state authority for receiving Declarations  
Notaries to affix Notarial Seal)

\_\_\_\_\_  
(Signature of Declarant)

**NOTICE**

If this Declaration is not complete in every detail, it will be returned for completion and payment will be delayed.

Those sections of the *Criminal Code of Canada* which deal with offenses relating to affidavits are hereby brought to the attention of the Declarant.

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