In the Employment Court

(Auckland, Wellington or Christchurch) Registry

No: (court case number, i.e. EMPC xx/20xx)

Under the Employment Relations Act

In the matter of (specify matter to which the proceeding relates i.e.

Challenge to determination)

Between (full name, place of residence, occupation)

Plaintiff/Applicant

(Note: If more than one plaintiff or applicant list them separately as 2nd plaintiff/applicant, 3rd plaintiff/applicant etc)

And (full name, place of residence, occupation)

Defendant/Respondent

(Note: if more than one defendant or respondent list them separately as 2nd defendant/respondent, 3rd defendant/ respondent etc)

Affidavit/Affirmation\* of Service of (full name)

(Note: \*select one – that is, either affidavit or affirmation)

Filed by: (name of party presenting the affidavit/affirmation and address for service)

(Note: the party who presents the affidavit/affirmation is not necessarily the person who makes the affidavit/affirmation. The term ‘party’ means a party to the legal proceeding; the party would be presenting the affidavit/affirmation as evidence for their case.)

I, [full name, place of residence, occupation], swear—



1. On ………………….. [day, date], I served ……………………………………………………………..

[full name], with the following documents:

………………………………………………………………………………………………………………………..

………………………………………………………………………………………………………………………..

(List each document served, eg, statement of claim, application and affidavit in support).

If a copy of a served document is not attached to the affidavit, the description of the document—

(a) must be sufficient to enable the document to be identified; and

(b) must include the date of the document (if the document bears a date)].

2. I served the documents on ………………………………………………………(full name) at ……………………………………………........................................................................................................

(place) in New Zealand by ……………………………………………………………………………….

………………………………………………………. (specify how documents were delivered, eg, personally, by courier etc).

3. I believe it was the (defendant or other party) that I served because—

Select the statement(s) that apply.

Statement A

the defendant/[party]\* acknowledged that he/she\* is the defendant.

Statement B

I know the defendant/[party]\*.

Statement C

(Specify any other reason.)

4. True copies of the documents served are attached to this affidavit and marked ““A”” and ““B””.

Omit this paragraph if it does not apply.

Signature of the deponent:

(Note: place your signature here after printing this document)

Sworn/Affirmed\* at this day of 20

(\* Choose one. If you want to swear on the Bible put ‘Sworn’; otherwise if you want to affirm put ‘Affirmed’)

(Note: leave the spaces blank. The person taking the affidavit will fill them in)

Before me:

(Note: leave the above space blank. The person taking the affidavit will fill it in).

(a solicitor of the High Court of New Zealand/Registrar/Deputy Registrar\*)