

Sample 3 – Employer’s Affidavit

MAGISTRATES COURT OF QUEENSLAND

Registry: Brisbane
Number: M1234 of 2012

IN THE MATTER OF
section 87 of the Transport Operations
(Road Use Management) Act 1995

AFFIDAVIT OF ROGER MINTY

ROGER MINTY of 78 Crescent Drive, Carina in the State of Queensland, Landscape Gardener, states on oath:

1. I am the owner of a small landscaping business trading as Beautiful Gardens. I employ six permanent employees and others on a casual basis as the need arises.
2. Bosca Alberto Tran is one of the six permanent employees. Bosca has worked for me for the past 12 years, starting while still at school in a school-based apprenticeship.
3. Beautiful Gardens is located at Buranda but most of the jobs Bosca does are at the homes or business premises of clients. He does both maintenance work on existing gardens and creation of new ones. As he is one of my most experienced employees, he often works alone from the beginning or stays behind to finish off after other employees have left. Depending on the job he is doing, he needs to take various tools and other equipment with him to the various sites where he works.
4. My business is not large enough to have the luxury of sending more than one employee to every job. Every employee, especially those who often work alone, has to be able to drive. Beautiful Gardens has five work vehicles which are in use daily by my employees. Sometimes they use their own vehicles and sometimes they take a work vehicle home.
5. I find Bosca to be a very reliable and responsible worker, and I would hate to lose him. However, unfortunately, if he has no licence he can't drive to the work sites and would not be able to do his work. I have no other work I can give him that doesn't require a licence, nor can I spare another employee to drive him around. If Bosca doesn't have a licence, unfortunately I would have to terminate his employment. I have several friends in this business looking for employees, but they all require those employees to have a licence for the same reasons.
6. All the facts and circumstances above deposed to are within my own knowledge save such as are deposed to from information only and my means of knowledge and sources of information appear on the face of this my affidavit.

Sworn by Roger Minty on the _____ day of 2012, at _____ in the presence of:

Deponent
AFFIDAVIT OF ROGER MINTY
Filed on behalf of the Applicant
Form 46 Rule 431

A Justice of the Peace/Solicitor
Bosca Alberto Tran
26 Little Street
BROWNS PLAINS QLD 4118
Tel: xxxx xxxx