

27<sup>th</sup> February 2026



AUSTRALIAN COLLECTORS &  
DEBT BUYERS ASSOCIATION

Manager – Modernising Document Execution Section  
Attorney-General's Department  
3-5 National Circuit  
BARTON ACT 2600

By email only: [statdec@ag.gov.au](mailto:statdec@ag.gov.au)

Dear Sir/Madam,

## **RE: CONSULTATION – STATUTORY DECLARATION ACT REVIEW 2026**

The Australian Collectors & Debt Buyers Association (ACDBA) writes in support of the submission lodged by the Institute of Mercantile Agents (IMA) dated 27/02/2026 in relation to the open consultation regarding the Statutory Declaration Act Review 2026.

### **THE ACDBA AND DEBT COLLECTION**

The Australian Collectors and Debt Buyers Association (ACDBA) was established in 2009 to represent businesses engaged in the collection, purchase and sale of debt. Its members represent the majority of the Australian debt collection market and operate within a highly regulated environment. Accounts managed by members are typically handled either through debt purchase arrangements or on a contingent (agency) basis.

Debt purchasers acquire charged-off, or non-performing accounts where the original credit provider has been unable to recover the debt and has written it off, assigning its rights to the purchaser. Contingent collections involve recovery activity undertaken on behalf of a creditor under a principal-and-agent arrangement, with ownership of the debt remaining with the creditor. Creditors utilising contingent collections include banks, non-bank lenders, insurers, telecommunications providers and utilities.

ACDBA members have cause to engage with the *Statutory Declarations Act 1959 (Cth)* throughout their work, being both a regular signatory and receiver of same.

### **OUR RESPONSE**

Having reviewed the IMA submission, the ACDBA agrees with its overall assessment that the 2023 reforms have been proportionate, effective and beneficial in practice. In particular, we support the view that:

- The expanded execution options have improved efficiency and accessibility;
- The digital and electronic safeguards are operating effectively;
- There is no evidence of systemic fraud, coercion or misuse arising from the reforms; and
- The current balance between accessibility and integrity is appropriate.



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Importantly, ACDBA also supports IMA's recommendation that Government consider building upon the success of the statutory declaration reforms by examining extension of electronic signing and video-link witnessing to affidavits in federal jurisdictions, including affidavits of service.

From an operational perspective, affidavits of service and similar procedural affidavits are frequently used in enforcement and recovery contexts. The inconsistency between modernised statutory declaration processes and more restrictive affidavit execution requirements can create unnecessary delay and cost.

ACDBA therefore encourages the Department to give careful consideration to IMA's recommendation, and to consider further engagement with them in this regard.

The alignment between ACDBA and IMA reflects a consistent industry view that the current reforms are operating successfully and that measured procedural harmonisation would be beneficial.

Please do not hesitate to contact the writer to discuss this matter further.

Yours sincerely,

Jacob Maiore  
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