



# JP Newsletter

## What documents are JPs authorised to witness?

In Western Australia, unless another written law provides otherwise, the authority of JPs to witness Affidavits and Statutory Declarations is provided by the *Oaths, Affidavits and Statutory Declarations Act 2005*.

JPs are sometimes asked to perform other tasks which are not the functions of a JP established by law. You can only exercise a task in your capacity as a JP if that function is based on or referable to a WA Act or Regulation.

If you perform any other task, you are not doing so in your capacity as a JP.

For example, there is no legal requirement for JPs to witness a will; however, JPs are sometimes requested to do so.

If you choose to witness a will, you should take great care performing this function as serious repercussions may arise if the correct procedures are not followed.

It is vital that JPs do not give legal advice about a will and if questions arise it is strongly suggested that you refer the person to a legal practitioner.

There are a range of professionals (including JPs) in Australia who

may certify copies of documents. For the purpose of legalising documents for use overseas, the Department of Foreign Affairs and Trade (DFAT) cannot accept documents signed by these people.

Only documents signed by Australian notaries public or Australian consular or diplomatic officers overseas are accepted by DFAT.

Notaries public are senior legal practitioners who prepare, attest, witness and certify original and copied legal documents for use overseas.

As a general rule, JPs should not authenticate documents for use overseas.

If requested to witness such documents you should refer the person seeking this service to a Notary Public.

A list of Notary Publics is located in the Law Almanac available at [www.lawalmanac.dotag.wa.gov.au](http://www.lawalmanac.dotag.wa.gov.au).

## Are your contact details correct?

To keep up to date with the latest information JPs are being asked to ensure the Department has their correct contact information.

To check whether your contact details are correct, or need to be updated, please email your:

- name
- postal address
- email address
- home phone number
- mobile number

to email [jps@justice.wa.gov.au](mailto:jps@justice.wa.gov.au)



# JP training calendar

Date	Location	Topic	Contact	Phone	Email
11/7/16	Esperance	Court Procedures	Clerk of Court	9071 6318	esperancecourt@justice.wa.gov.au
12/7/16	Collie	Court Procedures	Clerk of Court	9734 2061	colliecourt@justice.wa.gov.au
16/7/16	Perth	Court Procedures	JP Training and Research Coordinator	9425 2525	jps@justice.wa.gov.au
5/9/16	Joondalup	Court Procedures	JP Training and Research Coordinator	9425 2525	jps@justice.wa.gov.au
7/9/16	Merredin	Court Procedures	Clerk of Court	9041 5266	merredincourt@justice.wa.gov.au
12/9/16	Bunbury	Court Procedures	Clerk of Court	9781 4212	bunburycourt@justice.wa.gov.au
8/10/16	Perth	Aboriginal Cross Cultural Awareness	JP Training and Research Coordinator	9425 2525	jps@justice.wa.gov.au
21/10/16	Kalgoorlie	Court Procedures	Clerk of Court	9090 5335	kalgoorliecourt@justice.wa.gov.au
19/11/16	Perth	Court Procedures	JP Training and Research Coordinator	9425 2525	jps@justice.wa.gov.au
25/11/16	Bunbury	Search Warrants, Witnessing Documents, Oaths and Affidavits	Clerk of Court	9781 4212	bunburycourt@justice.wa.gov.au

## Urgent Call for JPs at signing centres

Many JP signing centres are reporting significant shortages of JPs to assist with rosters.

If you are able to assist and volunteer at a signing centre please contact your nearest signing centre.

A list of signing centres is available at [www.courts.dotag.wa.gov.au](http://www.courts.dotag.wa.gov.au)



## 2016 Training Update

JP Branch again coordinated with the Office of the Public Advocate (OPA) to deliver a workshop in April 2016 at Anzac House, Perth.

The topics covered included Enduring Powers of Attorney (EPAs), Enduring Powers of Guardianship (EPGs) and Advance Health Directives (AHDs).

The workshop was well attended and rated to a high standard. The information was tailored for JPs as people authorised to witness these documents. A similar workshop is planned for later in the year.

JP training on Search Warrants and Witnessing documents was recently held in Guildford which

saw many newly appointed JPs attend. JPs enjoyed the interactive style of Magistrate Benn.

Deputy Chief Magistrate Woods recently held training in Carnarvon, which JPs from Tom Price also video linked in. The training session covered various topics including Court Procedures and Witnessing documents.

The training was well received by all participants.

Two new modules (Sentencing and Court Protocol) are being developed and plan to be available soon.

For more details contact the JP Branch on 9425 2525.