

DECLARATIONS AND ATTESTATIONS.

4^o Geo. V., No. XII.

No. 12 of 1913.

[As amended by Acts:

No. 22 of 1953 assented to 7th December, 1953;
No. 11 of 1962 assented to 1st October, 1962;
No. 46 of 1972¹ assented to 18th September, 1972;
and Reprinted pursuant to the Amendments Incorporation Act,
1938.]

AN ACT to amend the law relating to the Taking of Declarations and the Attestation of Documents.

[Assented to 8th November, 1913.]

BE it enacted—

1. This Act may be cited as the *Declarations and Attestations Act, 1913-1972*.

Short title.
Amended by
No. 46 of
1972, s. 6 (2).

2. Whenever by or under any Act or statutory regulation (whether passed or made before or after the commencement of this Act) it is provided—

Authority to take
declarations
and attest
instruments.
Amended by
No. 22 of
1953, s. 2;
No. 11 of
1962, s. 2;
No. 46 of
1972, s. 6.

- (a) that any statutory declaration shall or may be made before a justice of the peace; or a justice of the peace or some other person; or
- (b) that any instrument shall or may be signed or executed in the presence of, and be attested by, a justice of the peace, or a justice of the peace or some other person,

¹ Came into operation 1st November, 1972. See G.G. 13/10/72, p. 4069.

such declaration or instrument may be made before, or signed and executed in the presence of, and attested by—

- (i) a town clerk, shire clerk, electoral registrar, postmaster, classified officer in the State or Commonwealth public service, classified State school teacher, or member of the police force; or
- (ii) a commissioner for declarations appointed under this Act; or
- (iii) a member of either House of Parliament of the State or of the Commonwealth; or
- (iv) a commissioner for declarations appointed under the provisions of the Statutory Declarations Act, 1911-1944, of the Commonwealth of Australia; or
- (v) a justice of the peace appointed for any part of The Commonwealth that is outside The State.

See Act No.
28 of 1906,
s. 56 (b).

Provided that no person under eighteen years of age shall be qualified to take any statutory declaration, or attest any such instrument.

Commis-
sioners for
declarations.

3. (1) The Attorney General may appoint persons to be commissioners for declarations.

(2) Any such appointment may be revoked by the Attorney General.

(3) A notification of every such appointment or revocation of appointment shall be published in the *Government Gazette*.

Effect of
declaration
or attesta-
tion.

4. Any statutory declaration made, or instrument signed or executed and attested under the authority of this Act, shall have the same force and effect, and shall render the declarant, or the person who signs or executes the instrument, liable to the same penalty for any false statement therein, as if such declaration had been made before, or such instrument had been attested by, a justice of the peace.