

## Fact sheet:

# Certify or Witness Documents

In order to protect your super, you are required by law to provide proof of your identity in certain circumstances, such as when you move money between super funds or claiming your super on retirement. This fact sheet lists the people who can certify your documents.

## List of people who may witness Statutory Declarations

### Commonwealth Government and Australian Capital Territory

- Any persons authorised under the law of a State or Territory to practice the following occupations:
  - Chiropractor
  - Dentist
  - Legal practitioner
  - Medical practitioner
  - Nurse
  - Optometrist
  - Patent attorney
  - Pharmacist
  - Physiotherapist
  - Psychologist
  - Trade marks attorney
  - Veterinary surgeon
- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
- Australian Consular Officer, or Australian Diplomatic Officer, (within the meaning of the Consular Fees Act 1955)
- Bailiff
- Bank officer with 5 or more continuous years of service
- Building society officer with 5 or more years of continuous service
- Chief executive officer of a Commonwealth court
- Clerk of a court
- Commissioner for Affidavits
- Commissioner for Declarations
- Credit union officer with 5 or more years of continuous service
- Employee of the Australian Trade Commission who is in a country or place outside Australia; and authorised under paragraph 3 (d) of the Consular Fees Act 1955; and exercising his or her function in that place
- Employee of the Commonwealth who is in a country or place outside Australia; and authorised under paragraph 3 (c) of the Consular Fees Act 1955; and exercising his or her function in that place
- Fellow of the National Tax Accountants' Association
- Finance company officer with 5 or more years of continuous service
- Holder of a statutory office not specified in another item in this Part
- Judge of a court
- Justice of the Peace
- Magistrate
- Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
- Master of a court
- Member of Chartered Secretaries Australia
- Member of Engineers Australia, other than at the grade of student
- Member of the Association of Taxation and Management Accountants
- Member of the Australian Defence Force who is an officer; or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or warrant officer within the meaning of that Act



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- Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
- Member of the Australasian Institute of Mining and Metallurgy
- Member of the Parliament of the Commonwealth; or the Parliament of a State; or a Territory legislature; or a local government authority of a State or Territory
- Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
- Notary public
- Permanent employee of the Commonwealth or of a Commonwealth authority; or a State or Territory or of a State or Territory authority; or a local government authority; and with 5 or more years of continuous service who is not specified in another item in this Part
- Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
- Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
- Police officer
- Registrar, or Deputy Registrar, of a court
- Senior Executive Service employee of the Commonwealth, or of a State or Territory, or of a Commonwealth, State or Territory authority
- Sheriff or Sheriff's officer
- Teacher employed on a full-time basis at a school or tertiary education institution
- Person registered as a Patent Attorney under Chapter 20 of the Patents Act 1990 of the Commonwealth
- Member of the Police Force
- Councillor of a Municipality
- Dentist (registered under the Health Professions Registration Act 2005)
- Registered Medical Practitioner (registered under the Health Professions Registration Act 2005)
- Minister of religion authorised to celebrate marriages
- Principal in the teaching service
- Sheriff or Deputy Sheriff
- Member/former member of either House of Parliament of Victoria
- Member/former member of either House of Parliament of the Commonwealth
- Senior Officer of a Council as defined in the Local Government Act 1989
- Veterinary Practitioner
- Pharmacist
- Manager of an authorised deposit-taking institution
- Member of the Institute of Chartered Accountants in Australia/Australian Society of Accountants/National Institute of Accountants
- Secretary of a building society
- Person employed under Part 3 of the Public Administration Act 2004 with a classification that is prescribed as a classification to which this section applies or who holds office in a statutory authority with such a classification
- Fellow of the Institute of Legal Executives (Victoria)

### New South Wales

- Australian Legal Practitioner
- Commissioner of the Court for taking affidavits
- Justice of the Peace
- Notary Public

### Victoria

- Justice of the Peace or a Bail Justice
- Public Notary
- Australian lawyer
- Clerk to an Australian lawyer
- Prothonotary or a Deputy Prothonotary of the Supreme Court, the Registrar or a Deputy Registrar of the County Court, the Principal Registrar of the Magistrates' Court or a Registrar or Deputy Registrar of the Magistrates' Court
- Registrar of Probates or an Assistant Registrar of Probates
- Associate to a Judge of the Supreme Court or the County Court
- Associate of an Associate Judge of the Supreme Court

Note Declarations made by prisoners can be witnessed by the Gaol Keeper. Declarations made outside of the State of Victoria may be administered by an Australian Consular officer, or a Consular officer of the British Commonwealth or any person who has authority to administer an oath in that place.

### Northern Territory

- Any person over 18 years of age can witness a statutory declaration made in the Northern Territory.

### South Australia

- Justice of the Peace
- Notary Public
- Judges and Masters of the Supreme Court
- Judges and Masters of the District Court
- Magistrates
- Registrars and Deputy Registrars of the Supreme Court, District Court, Environment Resources and Development Court, Industrial Relations Court, Youth Court and the Magistrates Court.
- Practitioners of the Supreme Court
- Member of the Police Force

Declarations made outside of the State may be administered by a commissioner of affidavits, a British or Australian consular officer or any person having authority to administer an oath in that place.

## **Queensland**

- A justice, commissioner for declarations or notary public under the law of Queensland, the Commonwealth or another State
- A lawyer
- A conveyancer
- Another person authorised by law to take an oath under the law of Queensland, the Commonwealth or another State

Declarations made outside Australia may be taken by any person authorised to administer an oath under the law of the place in which it is taken.

## **Western Australia**

- Academic – a member of the academic staff of a Western Australian university or an institution under the Vocational Education and Training Act 1996
- Accountant – a member of any of the Association of Taxation and Management Accountants; CPA Australia; The Institute of Chartered Accountants in Australia; National Institute of Accountants; or National Tax & Accountants' Association Limited
- Architect
- Australian Consular Officer or Australian Diplomatic Officer
- Bank Manager – a person in charge of the head office or any branch office of an authorised deposit taking institution carrying on business in the State
- Chartered secretary - a member of Chartered Secretaries Australia
- Chemist
- Chiropractor
- Registered company auditor or liquidator
- Court officer – a judge, master, magistrate, registrar or clerk or chief executive officer of any court of the State or Commonwealth
- Defence force officer (including a warrant officer or a non-commissioned officer of 5 or more years continuous service)
- Dentist
- Doctor
- Electorate officer of a member of State Parliament
- Engineer - a member of the Institution of Engineers, Australia, other than at the grade of student
- Industrial organisation secretary – secretary of a organisation of employees or employers registered under the Industrial Relations Act or the Workplace Relations Act

- Insurance broker – a member of the National Insurance Brokers Association
- Justice of the Peace
- Landgate officer
- Lawyer
- Local government councillor, CEO or deputy CEO
- Loss adjuster – a member of the Australasian Institute of Chartered Loss Adjusters
- Authorised marriage celebrant
- Member of State or Federal Parliament
- Minister of religion registered under the Marriage Act 1961 (Cth)
- Nurse
- Registered optometrist
- Registered patent attorney
- Physiotherapist
- Registered Podiatrist
- Police officer
- Post office manager
- Registered psychologist
- Public notary
- State or Commonwealth public servant
- Licensed real estate agent or settlement agent
- Sheriff or deputy sheriff
- Licensed surveyor
- Teacher – a member of the teaching staff of a government or non-government school
- Tribunal officer - a member, registrar or clerk or chief executive of a tribunal of a State or the Commonwealth
- Registered veterinary surgeon

Declarations made outside the State may be administered by any person who is authorised to receive a declaration in that place or by any person authorised under the Commonwealth Statutory Declarations Act 1959.

## **Tasmania**

- Justice of the Peace
- A person authorised by law to administer an oath
- (if outside the State) a diplomatic or consular agent ie an ambassador, consul-general etc
- A commissioner for declarations eg a member of a profession specified in Part 1, or a person listed in Part 2, of the Schedule to the Statutory Declarations Regulation 1993 of the Commonwealth

## List of prescribed people who can certify copy documents

### Form of certification

Certification must state: 'I certify this to be a true copy of the document shown and reported to me as the original.'

**If certification is provided by a JP:** then add the JP's full name, JP registration number, handwritten signature and date.

**If certification is by another prescribed person:** add full name, address, contact telephone number, handwritten signature and date.

- A person who, under a law in force in a State or Territory, is currently licensed or registered to practise in the following occupations:
  - Chiropractor
  - Dentist
  - Legal practitioner
  - Medical practitioner
  - Nurse
  - Optometrist
  - Patent attorney
  - Pharmacist
  - Physiotherapist
  - Psychologist
  - Trademarks attorney
  - Veterinary surgeon
- A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described)
- An officer with, or authorised representative of, a holder of an Australian financial services licence, having 2 or more years of continuous service with one or more licensees.
- One of the following persons:
  - Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
  - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
  - Bailiff
  - Bank officer with 2 or more continuous years of service
  - Building society officer with 2 or more years of continuous service
  - Chief executive officer of a Commonwealth court
  - Clerk of a court
  - Commissioner for Affidavits
  - Commissioner for Declarations
  - Credit union officer with 2 or more years of continuous service
  - Employee of the Australian Trade Commission who is in a country or place outside Australia; and authorised under paragraph 3 (d) of the Consular Fees Act 1955; and exercising his or her function in that place
  - Employee of the Commonwealth who is in a country or place outside Australia; and authorised under paragraph 3 (c) of the Consular Fees Act 1955; and exercising his or her function in that place
  - Fellow of the National Tax Accountants' Association
  - Finance company officer with 2 or more years of continuous service
  - Judge of a court
  - Justice of the Peace
  - Magistrate
  - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
  - Master of a court
  - Member of Chartered Secretaries Australia
  - Member of Engineers Australia, other than at the grade of student
  - Member of the Association of Taxation and Management Accountants
  - Member of the Australian Defence Force who is an officer; or a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 2 or more years of continuous service; or a warrant officer within the meaning of that Act
  - Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
  - Member of the Parliament of the Commonwealth; or the Parliament of a State; or a Territory legislature; or a local government authority of a State or Territory
  - Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
  - Notary public
  - Permanent employee of the Australian Postal Corporation with 2 or more years of continuous service who is employed in an office supplying postal services to the public
  - Permanent employee of the Commonwealth or a Commonwealth authority; or a State or Territory or a State or Territory authority; or a local government authority; with 2 or more years of continuous service who is not already listed above
  - Police officer
  - Registrar, or Deputy Registrar, of a court
  - Senior Executive Service employee of the Commonwealth or a Commonwealth authority; or a State or Territory or a State or Territory authority
  - Sheriff
  - Sheriff's officer
  - Teacher employed on a full-time basis at a school or tertiary education institution
  - Member of the Australasian Institute of Mining and Metallurgy.



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