

Justices of the Peace (Role) Guideline 2006

Disallowable instrument DI2006—217

made under the

Justices of the Peace Act 1989, S 3A (Guidelines about the role of justice of the peace)

EXPLANATORY STATEMENT

This instrument approves a guideline, which sets out the role of ACT Justices of the Peace. The guideline is made under section 3A of the *Justices of the Peace Act 1989*. The guideline aims to assist Justices of the Peace and members of the community to understand the role and responsibilities of ACT Justices of the Peace. The guideline contains information from the previous Guidelines and Procedures for appointment of Justices of Peace in the Australian Capital Territory.

The guideline provides that the role of Justices of the Peace is determined not by the *Justices of the Peace Act 1989*, but generally by procedural requirements of other ACT and Commonwealth legislation. Primarily Justices of the Peace serve the community by:

- administering oaths or affidavits, and taking statutory declarations and affirmations;
- witnessing signatures; and
- attesting and certifying documents.

The guideline states that in performing their role Justices of the Peace should:

1. be available at reasonable times;
2. be professional, courteous and impartial;
3. not provide legal advice;
4. avoid conflicts of interest;
5. not receive payment or reward for service;
6. keep contact details up to date;
7. adhere to the appropriate legislation and correct procedures; and
8. maintain confidentiality.