



# Evidence (Attestation of Documents) Act 1937

Reprinted as in force on 21 December 1995

Reprint No. 1\*

This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

\* Minor differences in presentation between this reprint and another reprint with the same number are due to the conversion to new styles. The content has not changed.

# Information about this reprint

This Act is reprinted as at 21 December 1995. The reprint—

- shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c))
- incorporates all necessary consequential amendments, whether of punctuation, numbering or another kind (Reprints Act 1992 s 5(d)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- update citations and references (pt 4, div 2)
- update references (pt 4, div 3)
- express gender specific provisions in a way consistent with current drafting practice (s 24)
- use standard punctuation consistent with current drafting practice (s 27)
- relocate marginal or cite notes (s 34)
- use aspects of format and printing style consistent with current drafting practice (s 35)
- omit provisions that are no longer required (ss 37, 39)
- omit the enacting words (s 42A)
- number and renumber certain provisions and references (s 43).

This page is specific to this reprint. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in the reprint, including—**
  - **table of changed names and titles**
  - **table of changed citations and remade laws**
  - **table of obsolete and redundant provisions**
  - **table of renumbered provisions.**

## Spelling

The spelling of certain words or phrases may be inconsistent with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’).



Queensland

# Evidence (Attestation of Documents) Act 1937

## Contents

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		Page
1	Short title . . . . .	3
2	Construction of Act . . . . .	3
3	Attestation etc. of documents outside the State . . . . .	3
3A	When Governor in Council may extend application of this Act . . . . .	4
4	Application of Act . . . . .	5

## Endnotes

1	Index to endnotes . . . . .	6
2	Date to which amendments incorporated . . . . .	6
3	Key . . . . .	7
4	Table of reprints . . . . .	7
5	List of legislation . . . . .	7
6	List of annotations . . . . .	8
7	Table of changed names and titles . . . . .	8
8	Table of changed citations and remade laws . . . . .	8
9	Table of obsolete and redundant provisions . . . . .	8
10	Table of renumbered provisions . . . . .	9



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# Evidence (Attestation of Documents) Act 1937

[as amended by all amendments that commenced on or before 21 December 1995]

## An Act relating to the attestation of documents outside the State

### 1 Short title

This Act may be cited as the *Evidence (Attestation of Documents) Act 1937*.

### 2 Construction of Act

This Act shall be read as one with the *Evidence Act 1977*.

### 3 Attestation etc. of documents outside the State

Notwithstanding any Act or law or rule or process of law to the contrary, where by any Act, or by any order in council, regulation, rule, or by-law made pursuant to any Act, any document is required, authorised, or permitted to be attested or verified by or signed or sealed or sworn or acknowledged before a justice of the peace of this State, it shall be sufficient for all purposes if such document is attested or verified or signed by sealed or sworn or acknowledged in any part of Her Majesty's Dominions outside of this State by or before a justice of the peace for that part of Her Majesty's Dominions, and all courts and persons acting judicially shall take judicial and official notice of the signature of any justice of the peace in any such part of Her Majesty's Dominions when such signature is attached or appended to any such document and the place where such signature was so attached or appended purports to be shown.

**3A When Governor in Council may extend application of this Act**

- (1) Where the Governor in Council is satisfied—
  - (a) that the provisions of this Act have ceased to apply in respect of any country outside of this State to which this Act applied when it was passed; and
  - (b) that it is desirable that this Act should continue to apply in respect of that country;the Governor in Council may by regulation declare that this Act shall continue to apply in respect of that country.
- (2) The Governor in Council may further declare in the regulation continuing the application of this Act in respect of a country that an office under the government of that country named by the Governor in Council in that regulation shall, for the purposes of this Act, be equivalent to the office of a justice of the peace for Queensland.
- (3) The Governor in Council may at any time and from time to time revoke, amend, or otherwise modify any and every regulation made by the Governor in Council under this section.
- (4) Notwithstanding any Act or law or rule or process of law to the contrary, where by any Act, or by any order in council, regulation, rule, or by-law made pursuant to any Act, any document is required, authorised, or permitted to be attested or verified by or signed or sealed or sworn or acknowledged before a justice of the peace for this State, it shall be sufficient for all purposes if such document is attested or verified or signed or sealed or sworn or acknowledged in any country named in a regulation made under this section by or before any holder of the office under the government of that country declared by that regulation to be, for the purposes of this Act, equivalent to the office of a justice of the peace for Queensland.
- (5) All courts and persons acting judicially shall take judicial and official notice of any regulation made under this section, and of the signature of any holder of an office under the government of a country declared by such regulation to be, for

the purposes of this Act, equivalent to the office of a justice of the peace for Queensland when that signature is attached or appended to any such document and the place where such signature was so attached or appended purports to be shown.

#### **4 Application of Act**

(1) The provisions of this Act shall be in aid of and not in derogation of any Act or law regarding the attestation or verification or signature or sealing or swearing or acknowledgment of documents.

(2) In this Act—

*document* includes an instrument under the *Land Title Act 1994*.

## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	6
3 Key . . . . .	7
4 Table of reprints . . . . .	7
5 List of legislation . . . . .	7
6 List of annotations . . . . .	8
7 Table of changed names and titles . . . . .	8
8 Table of changed citations and remade laws . . . . .	8
9 Table of obsolete and redundant provisions . . . . .	8
10 Table of renumbered provisions . . . . .	9

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 21 December 1995. Future amendments of the Evidence (Attestation of Documents) Act 1937 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

### 4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	1995 Act No. 58	28 November 1995	21 December 1995

### 5 List of legislation

#### **Evidence (Attestation of Documents) Act 1937 1 Geo 6 No. 24**

date of assent 19 November 1937

commenced on date of assent

amending legislation—

#### **Evidence (Attestation of Documents) Act Amendment Act 1950 14 Geo 6 No. 5**

date of assent 5 October 1950

commenced on date of assent

**Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 2**

date of assent 28 November 1995

commenced on date of assent

## 6 List of annotations

### Construction of Act

s 2 amd 1995 No. 58 s 4 sch 2; R1 (see RA s 37)

### When Governor in Council may extend application of this Act

s 3A ins 1950 14 Geo 6 No. 5 s 2

amd 1995 No. 58 s 4 sch 2

## 7 Table of changed names and titles

under the Reprints Act 1992 ss 23 and 23A

Old	New	Reference provision
His Majesty's	Her Majesty's	Acts Interpretation Act 1954 s 52(3)(a)

## 8 Table of changed citations and remade laws

under the Reprints Act 1992 ss 21A and 22

Old	New	Reference provision
Real Property Act 1861	Land Title Act 1994	Land Title Act 1994 s 207

## 9 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/redundant
references to Queensland implied	Acts Interpretation Act 1954 s 35
references included in citation of law	Acts Interpretation Act 1954 s 14H

## 10 Table of renumbered provisions

under the Reprints Act 1992 s 43

Previous	Renumbered as
3A(4), 2nd sentence . . . . .	3A(5)
4, 1st sentence . . . . .	4(1)
4, 2nd sentence . . . . .	4(2)

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