



# **Evidence (Attestation of Documents) Act 1937**

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Queensland

# Evidence (Attestation of Documents) Act 1937

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# Evidence (Attestation of Documents) Act 1937

## 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*.