

Code of Conduct for Justices of the Peace

1 Access to services

- 1) A justice of the peace must not unreasonably refuse to provide justice of the peace services and must treat all persons seeking such services with courtesy, dignity and respect.
- 2) A justice of the peace must deal with requests for justice of the peace services in a timely manner.

2 Conduct and integrity

- 1) A justice of the peace must not engage in dishonest activities or conduct himself or herself in such a way as to bring the office of justice of the peace into disrepute.
- 2) A justice of the peace must keep safe and must not reveal information which is private, confidential or commercially sensitive and which the justice of the peace has obtained when providing justice of the peace services, unless authorised by law.
- 3) A justice of the peace must remain independent and impartial when providing justice of the peace services.
- 4) If a justice of the peace has a personal, family, financial or business interest in a matter before them and is satisfied that there is a conflict of interest, the justice of the peace should decline to provide such services in that matter.
- 5) If the term of appointment of a justice of the peace expires and the person has not been reappointed or if the justice of the peace has been removed from office by the Governor, the person must immediately cease providing justice of the peace services.

3 Financial and personal benefit

- 1) A justice of the peace must not charge a fee or accept a gift for providing justice of the peace services.
- 2) A justice of the peace must not use the title of justice of the peace to advance or appear to advance his or her business, commercial or personal interests, but a justice of the peace may use the title of a justice of the peace after his or her name on a business card or letterhead (whether in hard copy or electronic form).

4 Knowledge and competence

- 1) A justice of the peace must be familiar with and follow the provisions in the Department of Attorney General and Justice's publication *Justice of the Peace Handbook* and in any guidelines issued by Minister with respect to the exercise of specified functions by justices of the peace under the Act..

Note. The Handbook is available at www.jp.nsw.gov.au.

- 2) When providing justice of the peace services, a justice of the peace must clearly record his or her justice of the peace registration number together with his or her full name and signature on the document.
- 3) A justice of the peace must never witness a document unless he or she is satisfied as to the identity of the person and has seen the person sign the document.
- 4) Where an Act of Parliament provides that a declaration or instrument be signed or attested by a justice of the peace, the justice of the peace must do so in accordance with any instructions under that Act and any instructions on the declaration or instrument.
- 5) A justice of the peace must not offer legal advice in his or her capacity as a justice of the peace.

5 Notifications

- 1) A justice of the peace must, as soon as practicable after:
 - a) being convicted of a criminal offence, or
 - b) being found to have acted dishonestly by any court, tribunal, inquiry, regulatory agency, complaint handling or dispute resolution body or professional, business, trade or industry association, or
 - c) becoming bankrupt or making any debt agreement or personal insolvency agreement under the *Bankruptcy Act 1966* of the Commonwealth, or
 - d) being disqualified from being involved in the management of any company under the *Corporations Act 2001* of the Commonwealth, or
 - e) being suspended or disqualified from holding any licence, registration, certificate or membership in relation to any profession, business, trade or industry,notify the Department of Attorney General and Justice in writing of that matter.
- 2) A justice of the peace must notify the Department of Attorney General and Justice in writing of any of the following changes as soon as practicable after that change:
 - a) a change to the name of the justice of the peace,
 - b) a change to his or her postal or email address,
 - c) a change to the telephone number on which the justice of the peace can be contacted in relation to justice of the peace services.