

The official e-newsletter for Justices of the Peace in NSW

Half a century of excellence

In the 12 months prior to July 2017, 347 Justices of the Peace (JPs) achieved 50 years of service.

Around 130 of these JPs were recognised at an event held at Parliament House last September.

An example of such excellence can be found in the story of Mrs Jeune Marie Taylor, pictured receiving her certificate of 50 years' service from the Attorney General, the Hon Mark Speakman MP.

Juene was inspired to become a JP by her mother, who was the president of the NSW Justices Association. During her career as a nurse, she supported her co-workers and broader community through her role as a JP.

To this day, Juene continues to support her community through her role as an active JP.



Witnessing Queensland documents

The Department of Justice has been asked to clarify whether NSW JPs can witness the execution of Queensland land titles documents, including mortgages.

JPs appointed in NSW are not authorised to witness the execution of Queensland land titles documents.

JPs in NSW obtain their authority to witness documents from NSW legislation, and there is no NSW legislation which authorises the witnessing of Queensland Land Titles documents.

JPs appointed in NSW can witness the execution of Queensland statutory declarations and also certify copies of original documents for use in Queensland.

If you are asked to witness a Queensland land titles document, you should decline to do so. If you are asked about who can witness Queensland land titles documents or the status of such documents which have already been executed, you should advise members of the public to seek independent legal advice on these issues.

General and enduring powers of attorney: Can I witness these documents?

JPs can witness general power of attorney documents because a witness to a general power of attorney must only be someone over the age of 18 and who is not an attorney under that power of attorney. JPs witnessing such documents will not be exercising a JP function at that time and do not need to sign their JP number.

However there are no circumstances under which JPs can witness enduring powers of attorney. They may only be witnessed by specially qualified witnesses.

Update your contact details!

If you move house or change any of your contact details without notifying the department, you may miss out on important information, such as when your five year term of appointment is due to expire. The Department will send you email reminders prior to your expiry date.

The Department cannot accept late reappointment applications. This means that if you have not submitted an application for reappointment online before the end of your five year term you automatically lapse and you will have to apply for appointment (including getting your MP to nominate you) if you wish to be a JP again.

Updating your contact details is easy. You can do it online at the JP website, www.jp.nsw.gov.au, or by sending us an email at jp@justice.nsw.gov.au

Did you know?

You can apply for reappointment online for a full year prior to the end of your five year term. So there's no reason to leave your reappointment application to the last minute!

Applying for reappointment early does not change the end date of your term and if reappointed, your next term will begin immediately after the end of your current term. Contact us on the details below if you can't remember your expiry date.

Contact us: We have moved!

JP website: www.jp.nsw.gov.au,

Write to: Appointment Services, NSW Department of Justice, GPO Box 6, SYDNEY NSW 2001.

Email: jp@justice.nsw.gov.au

Privacy Policy for the Administration of JP Appointments

The Privacy Policy for the administration of JP appointments has been updated effective 20 April 2018. It is below and also available at www.jp.nsw.gov.au.

Collecting your personal information

We protect the privacy of your personal information in accordance with the law governing public sector agencies in New South Wales.

We collect your personal information directly from you when you volunteer to become a Justice of the Peace and when you apply for reappointment.

We collect your personal information (name, address, phone numbers and email address) for the following purposes:

- Processing your appointment or reappointment as a Justice of the Peace (JP);
- Providing you with information about your role and functions as a JP.

Using your personal information

We may use the personal information you provide in your application form for the following purposes:

- assess your eligibility for appointment or reappointment as a JP;

Your eligibility for appointment as a JP is determined under the *Justices of the Peace Act 2002* and guidelines set by the Attorney General.

We may also use your personal information to make further enquiries about your eligibility, including your good character. This includes, but is not limited to, a national criminal records check.

We may assess and make further enquiries about your eligibility not only during the appointment process, but also at any time during your term of office as a JP. This is because, even after confirming your appointment, we may need to review your continuing eligibility to hold the office.

- Provide you with information about your role and functions as a JP

We may contact you to provide you with updates which are relevant to your performance of the role of a JP. This means we can keep you informed about changes in legislation or policy which might be of assistance to you.

The information provided by the Department is intended as general guidance only and should not be taken to be or relied upon as legal advice.

Privacy Policy for the Administration of JP Appointments

Publishing your public contact details

Under law, we will publish your public contact details on the online public register of JPs. Your public contact details are:

- your full name,
- the contact telephone number you nominated for members of the public to contact you, and
- the suburb or town and postcode you nominated as the location where you usually provide JP services,
- the times at which you are available to provide justice of the peace services, if you are registered as a community based JP.

If you are exercising JP functions primarily for your employment purposes, you may notify us in writing that you do not consent to the publication of items 2 and 3 of your public contact details.

If you notify us that your safety or well-being would be affected if items 2 and 3 of your public contact details were published on the online public register, the Secretary of the Department of Justice may approve the exclusion or removal of those details from the public register. This applies whether your appointment is as an employment-based or community-based JP.

Disclosing your appointment status

During your term of office as a JP, or at any time after your term of office ends, any person or organisation may ask us to confirm whether or not you held an appointment as a JP at a particular point in time. In response to such a request, we may disclose:

- your full name,
- your JP registration number, and
- the start and end dates of your term of office.

The Secretary of the Department of Justice may also issue a certificate certifying whether or not you were registered on the JP register at a particular time. The certificate is admissible in legal proceedings as evidence of the matters certified.

Disclosing your personal information

In limited circumstances, we may be required to disclose your personal information without your consent. Your personal information includes your private contact details, such as your home address and private telephone numbers. We may be required to disclose this personal information in connection with 1) proceedings for an offence or for law enforcement purposes, 2) where authorised or required by subpoena or by search warrant or other statutory instrument, 3) where reasonably necessary for the protection of the public revenue, or in order to investigate an offence where there are reasonable grounds to believe that an offence may have been committed, or 4) in other circumstances permitted by the *Privacy and Personal Information Protection Act 1998* or regulations. For example, we may be required to disclose your private contact details to the NSW Police Force in connection with an investigation of an alleged criminal offence by another person, or to the State Debt Recovery Office or Office of State Revenue in connection with the protection of public revenue.

Privacy Policy for the Administration of JP Appointments

Accuracy

If your address or contact details (including your email address) change you must notify us immediately. A failure to notify us of your updated details is a breach of the Code of Conduct for JPs and may result in a review of your appointment.

If you do not provide correct contact details you will not receive important reminders about your appointment as a JP including any reminders about the **end of your term of appointment**. If your term of appointment ends and you have not lodged an online reappointment application, you will automatically lapse and have to apply to be a JP from the beginning again. We will assume the information we hold about you is accurate and up to date unless you request that we update your details.

Accessing or correcting your personal information

You may request to view the personal information we hold on the JP register by making a request to us in writing.

You may request to correct your personal information that we hold on the JP register by using the [online form](#) that we have provided for that purpose or by making a request to us in writing at jp@justice.nsw.gov.au.

Securing your personal information

Your personal information is held securely within the Department of Justice. Access to personal information in the Justice of the Peace database and related Departmental files is restricted to authorised personnel.

Justice of the Peace web pages containing online forms are secure sites. A secure site can be identified by:

- the website address beginning with https://

- the padlock symbol appearing immediately to the right of the address bar.

Any personal information entered into the 'reappointment form' and the 'change of address' form on our web pages is encrypted or coded via a SSL (Secured Socket Layer) connection. This means the information cannot be captured by anyone except the authorised receiver.

On the internet, 'cookies' are a common way of storing small amounts of temporary information for various purposes. The Justice of the Peace website uses cookies to temporarily store information during the online application process so applicants can review information already entered. No data is retained once the applicant submits the form.

Obtaining further information

For further information about how the Department of Justice deals with the personal information of its customers, visit [Privacy Management Plan](#). For information about your right to privacy and the *Privacy and Personal Information Protection Act 1998*, visit the website of the [Information and Privacy Commission NSW](#).