

Justice of the Peace

Application for appointment

Background

Justices of the Peace (JPs) are trusted members of our community appointed to provide a voluntary service.

The main duties performed by JPs in South Australia are witnessing documents, such as, statutory declarations and affidavits, and certifying a person's identity or true copies of original documents. Some JPs perform work such as issuing summonses and warrants, or hearing and deciding minor matters in the Magistrates Court or the Youth Court.

Appointments of JPs are made under the *Justices of the Peace Act 2005* (the Act) and the Justices of the Peace Regulations 2006. JPs are appointed for terms of up to 10 years and will be invited to apply for reappointment before the expiry of their current term.

To obtain a copy of the Act and other information about JPs go to agd.sa.gov.au.

Eligibility Requirements

To be eligible for appointment as a JP you must meet certain requirements. Before you complete the application, please ensure you meet all of the following eligibility requirements:

- Be at least 18 years of age
- Be an Australian citizen
- Be a resident of South Australia
- Be of good character
- Agree to undergo a National Police Check
- Understand the duties and powers of a JP (refer to the JP Handbook);
- Be proficient in speaking, reading and writing in the English language
- Live, work or volunteer in an area or community in which there is a need for a justice;
- Not be bankrupt or have applied as a debtor to take the benefit of the laws relating to bankruptcy;
- Not be disqualified from managing or being involved in the management of any company under the *Corporations Act 2001* (Commonwealth); and
- Not have been found to have acted dishonestly by any court, tribunal, inquiry, regulatory agency or complaint handling or dispute resolution body.

Application Package

This application package contains the following:

- Eligibility requirements (refer above)
- Details of documents to be attached to your application:
 - Cover letter
 - Evidence of Australia citizenship
 - Proof of residency in South Australia
 - Proof of current full current name
 - Evidence of link between photo and signature
- Forms to be completed and returned to Justice of the Peace Services by the Applicant:
 - Application for Appointment
 - National Police Check application
 - 20 Question Assessment
- Information to assist completion of the forms—**this information must be read** to ensure the forms are completed correctly:
 - Good character criteria (**Appendix 1**)
 - Correct witnessing of documents information sheet (**Appendix 2**)
 - Instructions to complete the National Police Check application (**Appendix 3**)
- Referee Report forms, including instructions for referees (**Appendix 4**)
- Checklist – to ensure your application is fully completed (**Appendix 5**)
- Overview of the application and appointment process (**Appendix 6**)
- Code of Conduct – please read to ensure you understand the standards that guide the conduct of a JP (**Appendix 7**).



Documents to Attach to your Application

1. Cover letter

Please attach a cover letter that:

- Details why you wish to become a JP (including need for appointment)
- Explains your current or any community involvement
- Includes examples of your skills, personal qualities and knowledge in relation to
 - Effective communication in the English language
 - Community networks and agencies in SA
 - Understanding the role and functions of a JP
 - Ethical standards and practices that generate trust and credibility
 - Awareness of and respect for other cultures and religions
 - Ability to keep other people's affairs and business confidential and private
 - Balanced, independent and non-judgemental approach
- Details:
 - Real or perceived conflicts of interest* that may occur between your personal or business interests and your duties and responsibilities as a JP; and
 - How to overcome a real or perceived conflict of interest.

**The role of a JP is to be an independent and objective witness to documents people use for official or legal purposes. Applicants who wish to provide a JP service within their business (including self-employees) or for personal interests may not be accepted by the Attorney-General or Attorney-General's delegate, unless it is demonstrated in writing how they will overcome real or perceived conflicts that may occur between witnessing documents for personal or business purposes and the duties and responsibilities of a JP.*

2. Evidence of Australian citizenship

Please attach a **certified copy of one** of the following documents as evidence of your Australian Citizenship:

- Official Australian Birth Certificate (not an extract); **OR**
- Australian Passport (current or expired within 2 years); **OR**
- Australian Citizenship Certificate.

3. Proof of residency in South Australia

Please attach a **current certified copy of one** of the following documents as evidence of your current South Australian residential address stated in this application form:

- Australian driver's licence; **OR**
- Utility account (electricity, gas, water); **OR**
- Rates notice; **OR**
- Centrelink concession card; **OR**
- Current tenancy or lease agreement; **OR**
- Superannuation fund statement; **OR**
- Land valuation certificate; **OR**
- Home insurance paper; **OR**
- ATO Notice of Assessment; **OR**
- Vehicle registration papers; **OR**
- Bond lodgement notice; **OR**
- Housing SA rental ledger; **OR**
- Centrelink payment advice; **OR**
- Centrelink ledger, with address history; **OR**
- University/TAFE transcripts

4. Proof of current full name (as listed in this application form)

If your current name is different from the document provided as evidence of your Australian Citizenship, please attach a **current certified copy of one** of the following:

- Official change of name certificate or deed poll document; **OR**
- Official Marriage Certificate issued by Births, Deaths and Marriages (not an extract).

If issued by an overseas authority, documents must be translated into English by an accredited translator i.e. National Accreditation Authority for Translators and Interpreters (NAATI).

5. Link between photo and signature

Please attach a **certified copy of one** of the following documents as evidence of the link between your photo and signature:

- Australian passport; **OR**
- Australian driver's licence; **OR**
- Australian firearm licence; **OR**
- Photo card issued by an Australian government agency

Failure to Disclose Information

Honesty and accuracy in completing documentation is an essential requirement for performing the functions of a JP.

The failure to disclose a significant matter in your application, and particularly any criminal offence, is therefore an important consideration in assessing the good character of an applicant.

Additional enquiries about an applicant may be made in order to verify the information provided by the applicant and to assess the applicant's good character.

Applications where the applicant has not disclosed a significant matter which is subsequently discovered will be declined unless there is a reasonable reason why the applicant did not make the disclosure.

References

Two written references are required. Please **give each of your referees** the Referee Report form provided at **Appendix 4** for them to complete and return directly to Justice of the Peace Services. (The Appendix contains two copies of the form, one for each referee.)

Your referees must:

- Have known you for a minimum of three years;
- Respond to the questions in the Referee Report form by giving examples of how they know you and demonstrate how they know you to be a person of good and reputable character; and
- Complete and sign the Referee Declaration at the end of the Referee Report form.

Referees must not be:

- Your relative either by birth or marriage; **OR**
- A Member of Parliament; **OR**
- A Member of the Judiciary.

Please note:

- *Your Referee Reports must not be submitted with your application. If they are submitted with your application, they will be returned to the referees and you will need to provide two new ones.*
- *Referees must complete their reports and return them directly to Justice of the Peace Services.*

Forms to be Completed and Returned by Applicant

In addition to the documents that an applicant must attach to their application (ie. cover letter, evidence of Australian citizenship, proof of residency in South Australia, proof of current full name and evidence of link between photo and signature), an applicant must complete the following three forms and return them to Justice of the Peace Services:

- (1) Application for Appointment;
- (2) National Police Check application; and
- (3) 20 Question Assessment.

These forms begin on the next page. Please read the information provided in the Appendices to assist you to complete the forms.

Please note:

For your application to be accepted, all sections of the Application for Appointment and National Police Check application must be completed. Please note we are unable to accept any other type of screening or police check.

All applications are treated confidentially and each application is considered on its merits.

Disclosure of Information

When you complete this application form, understand that you have consented to the release of information provided by you, to those agencies which may be able to validate that information in support of your application. It is extremely important that all your identity documents are accurate and reflect your correct identity information.

Documents provided as proof of identity may have their authenticity verified through the National Document Verification Service (DVS).

(1) Application for Appointment

Please complete all sections.

Personal Details

Date of birth

Sex/Gender

Male Female Other (please specify)

Country of birth

Title

Mr Mrs Ms Miss Dr Other (please specify)

Family name

Given names (including middle names)

Have you ever used any name(s) other than the name(s) declared above? (eg. maiden, alias)

Yes (please list name(s) below) No

Current Residential Address

Suburb/town/city

Postcode

State

Postal address (if different from residential)

Suburb/town/city

Postcode

State

Home phone number

Mobile phone number

Business phone number (direct landline or mobile - a call centre number is not accepted)

Email address

(Most communication will be by email so it is imperative you provide an email address for an account you access regularly)

Employment Details

Occupation (eg. retired/pensioner/self employed)

Name of employer

Employment address

Suburb/town/city

Postcode

State

Criminal Convictions or Offences

You must provide information about all offences (including traffic), spent convictions, convictions (including as a juvenile) and current charges. Non-disclosure may be proper grounds for not recommending appointment.

Have you ever been found guilty and/or convicted of any offences in a court anywhere in Australia and/or overseas or are there any charges pending against you?

Yes No

If you answered yes, please provide details below: (if you do not remember exact date, please give approximate year)

Date	Court	Offence	Outcome
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On a separate sheet, please detail the circumstances surrounding the offence(s) above and provide reasons why you believe you are suitable for appointment as a JP under the *Justices of the Peace Act 2005*. Please note if the circumstances of any offences listed above are not provided, your application will be considered as incomplete and returned to you.

I CONSENT to the release to Justice of the Peace Services full details of any person history and any other relevant information that any Australian State/Federal/Territories Police or Law Enforcement Agency may have in its possession with reference to me. This includes any convictions imposed on me that are spent or rehabilitated (however described) under State/Territory/Federal Legislation.

(please tick)

I UNDERSTAND that without this consent my application for appointment under the *Justices of the Peace Act 2005* cannot progress.

Contact Details for the Roll of Justices

The *Justices of the Peace Act 2005* states that the Roll of Justices **must** record a contact telephone number and suburb for during and/or after business hours for all justices of the peace. This information is made available to the public on the Attorney-General's Department website at agd.sa.gov.au.

Please note that your other personal details declared in this application are not disclosed on the website or to third parties without your prior consent, unless the disclosure is authorised by the *Justices of the Peace Act 2005* or other laws or permitted under the South Australian privacy policy.

Please provide details below about when you are contactable. You may choose during, after business hours, or both.

AND/OR

During business hours

(state only one telephone number and suburb)

Suburb/town/city

Postcode

Telephone number

After business hours

(state only one telephone number and suburb)

Suburb/town/city

Postcode

Telephone number

Contact Details of Referees

All sections must be completed.

Full name of first referee

Address

Suburb/town/city

Postcode

State

Telephone number

Full name of second referee

Address

Suburb/town/city

Postcode

State

Telephone number

Other information

Are you of Aboriginal or Torres Strait Islander Origin? For persons of both Aboriginal or Torres Strait Islander origin, mark both 'Yes' boxes.	No Yes Aboriginal Yes. Torres Strait Islander
Are you proficient in speaking, reading and writing in a language other than English and wish to provide JP services in that language? Please list the language(s).	Yes No
Are you active in the community of the language groups you listed above? If yes, please specify your involvement.	Yes No
Have you ever been or are currently bankrupt or have you applied as a debtor to take the benefit of the laws relating to bankruptcy? If yes, please detail on a separate sheet your current situation and provide a certified copy of the official documentation. If discharged, please provide a certified copy of your discharge letter.	Yes No
Have you been removed from office as a JP for South Australia at any stage (does not include if you have previously resigned)? If yes, please detail on a separate sheet the circumstances of the removal.	Yes No
Are you disqualified from managing or being involved in the management of any company under the Corporations Act 2001 (Commonwealth)? If yes, please detail on a separate sheet your current situation.	Yes No
Have you been found to have acted dishonestly by any court, tribunal, inquiry, regulatory agency or complaint handling or dispute resolution body? If yes, please detail on a separate sheet the circumstances surrounding the judgment and provide all relevant documents from the proceedings against you.	Yes No
I agree to Justice of the Peace Services providing my name and address to the Royal Association of Justices of South Australia Inc for the purpose of inviting me to become a member.	Yes No

Statutory declaration - Oaths Act 1936

I (full name)

of (full residential address)

do solemnly and sincerely declare that:

1. The information I provide in my application and accompanying documents is true and correct in every particular.
2. I understand the Attorney-General or the Attorney-General's delegate may make confidential inquiries as to my suitability for appointment.
3. I understand the duties and powers of a justice of the peace.
4. I am proficient in speaking, reading and writing the English language.
5. I undertake to inform the Attorney-General or the Attorney-General's delegate by writing to Justice of the Peace Services as soon as practicable, if I gain employment that may pose conflict between my business interests and my duties and responsibilities as a JP.
6. I will carry out all duties attached to the office and comply with the requirements of the *Justices of the Peace Act 2005*, *Justices of the Peace Regulations 2006* and *Justices of the Peace Code of Conduct*. I will also comply with any requirements of any other Acts or Regulations about JPs and how they are to perform their duties.
7. I understand that making a false statutory declaration is a crime and that the penalty is a fine or imprisonment for up to four years.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1936* in South Australia.

Declared at _____ in the State of South Australia, this _____ day of _____ 20____

Signature of applicant

Before me **(Signature of authorised witness)**

(Under the *Oaths Act 1936* in South Australia the authorised witness is a justice of the peace for South Australia, Proclaimed Police Officer or a Commissioner for taking Affidavits in the Supreme Court of SA)

Full name, ID and qualification of authorised witness

(2) National Police Check application

The National Police Check is requested by Justice of the Peace Services from SA Police. **No other type of screening or police check will be accepted.** The National Police check application form is provided for you. You may also download a copy of the National Police check by visiting <https://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check>

Please complete the National Police Check application as per the instruction sheet provided in [Appendix 3](#).

(3) 20 Question Assessment

Justice of the Peace 20 Question Assessment - V1

There are 20 questions in this assessment and to pass you must answer 18 or more questions correctly.

The assessment helps establish that you understand the duties and responsibilities of a justice of the peace (JP) so you must answer the questions yourself.

Information to assist you in answering the questions may be found in the following documents which are available on the Attorney-General's Department website agd.sa.gov.au:

- Justice of the Peace Handbook
- Justice of the Peace Code of Conduct
- *Justices of the Peace Act 2005*
- Justices of the Peace Regulations 2006.

Your details

I (full name)

Signature

declare that this is my own work.

Date

SECTION 1 - MULTIPLE CHOICES (select only one answer per question)

1. An independent adult witness is:

- An adult witness aged 18 years or over
- A justice of the peace
- A Notary Public
- A Commissioner for taking Affidavits in the Supreme Court of South Australia

2. When certifying or witnessing a document you do not need to:

- Use a stamp
- Make sure you are an authorised witness
- Write your full name and JP ID number
- Sign your usual signature

3. Under which Act is a South Australian Statutory Declaration made:

- Statutory Declaration Act 1959*
- Justices of the Peace Act 2005*
- Oaths Act 1936*
- Evidence Act 1929*

4. You are asked to witness an Enduring Power of Attorney. You would refuse to witness it if:

- The person chooses a relative to be their attorney
- The person is not over the age of 21 years
- The person does not sign the document of their own free will
- All of the above

5. When certifying a copy of a document that has multiple pages you must:

- Sign or initial each page and endorse the last page
- Sign the first page and endorse the last page
- Sign and endorse the last page
- Initial only the first page

6. A document that is attached to an Affidavit or Statutory Declaration is called:

- An exhibit
- An annexure
- An attachment
- Any of the above

7. A Will must be witnessed by:

- A justice of the peace
- A Notary Public
- Two adult witnesses
- None of the above

8. Which of the following documents does not need to be witnessed by a JP:

- Acceptance of an enduring power of attorney
- A Statutory Declaration
- An Affidavit
- All of the above

9. What details must you add after your signature when witnessing as a JP:

- Full name, JP ID number and JP for South Australia
- Full name
- JP ID number and full name
- Full name and JP for South Australia

10. What is the correct title for a JP in SA:

- A justice of the peace in and for the State of South Australia
- A justice of the peace in South Australia
- A justice of the peace for South Australia
- All of the above

SECTION 2 - TRUE OR FALSE (select only one answer per question)

1. A JP can administer an oath or an affirmation only for the taking of an Affidavit	True	False
2. You cannot witness a Statutory Declaration if the document is handwritten	True	False
3. JPs are exempt from jury duty	True	False
4. JPs can charge fees or accept gifts when undertaking duties as a JP	True	False
5. SA JPs should resign if they relocate permanently interstate or overseas	True	False
6. A JP can help a person complete their document and then witness it for them	True	False
7. A JP should keep copies of the documents they witness	True	False
8. A JP must advise the Attorney-General or the Attorney-General's delegate if they become bankrupt	True	False
9. A JP for South Australia is recognised under other states' legislation	True	False
10. A JP has a duty to administer an oath even if it is contrary to the JP's religious beliefs	True	False

Office Use Only - V1

Marked by	
Score	/20
Checked by	
Passed/failed	

Please return your completed original:

- Application for Appointment with required documentation (cover letter, evidence of Australian citizenship, proof of residency in South Australia, proof of current full name and evidence of link between photo and signature.
- National Police Check application
- 20 Question Assessment.

to

Justice of the Peace Services

GPO Box 1351

ADELAIDE SA 5001

If you have any questions please contact Justice of the Peace Services on:

Phone: 131 882
Fax: 8204 9605
Email: jpservices@sa.gov.au
Website: agd.sa.gov.au

Appendices

Appendix 1: Good character criteria

To recommend a person be appointed as a justice of the peace (JP), the Attorney-General or the Attorney-General's delegate must be satisfied that an applicant fulfils the criteria required by the Act and meets the requirements prescribed by the Regulations.

To be considered for appointment as a JP a person must be of good character.

Criminal history

An applicant's criminal history is most relevant to whether or not a person is of good character.

- All convictions, including as a juvenile (with the exception of offences where no conviction was recorded) and current charges are included in the National Police Check for applicants seeking appointment as a JP and must be disclosed.
- All applicants are provided with an opportunity to explain the circumstances surrounding any convictions and/or current charges.
- If an applicant does not disclose the convictions and/or current charges, they will be provided with an opportunity to explain why they did not and will be asked to provide reasons why they believe they are suitable for appointment as a JP despite the convictions and/or current charges against them.

There are some circumstances in which applications will be declined. These are where a person's criminal history shows that they:

- Have served a sentence of imprisonment for any offence
- Have been convicted of any offence involving dishonesty in the past 20 years (or ten years in the case of an offence committed as a juvenile)
- Have been convicted of more than one offence in the past ten years (exceptions may apply in certain circumstances)
- Are currently subject to a good behaviour bond
- Are currently awaiting trial or sentence for any offence
- Are currently subject to a supervision order under section 269O of the *Criminal Law Consolidation Act 1935*
- Are currently subject to a detention order under Part 1B Division 6 of the *Crimes Act 1914* (Commonwealth)
- Have an appeal pending in relation to either a conviction or penalty for any of the circumstances listed above.

In all other circumstances an application from a person whose criminal history discloses an offence will be assessed considering the following factors:

- The nature and number of offence(s), and any penalty imposed;
- Whether the charge(s) resulted in conviction or dismissal;
- The dates of the offence(s) and the length of the crime-free period since the latest offence;
- Whether or not the applicant was a juvenile at the time of the offence(s); and
- The merits of the application generally, including the employment or community need for the appointment, the strength of references, and any other information provided in the application or available to Justice of the Peace Services.

Other considerations

The assessment of an applicant's good character is not limited to reviewing the person's criminal history. A range of other factors are relevant, including factors which point to an applicant's honesty, integrity, capacity to act impartially, and to conduct themselves in such a way that the office of JP is not brought into disrepute. These include that the applicant has, in Australia or anywhere else:

- Been found to have acted dishonestly by any court, tribunal, inquiry, regulatory agency or complaint handling or dispute resolution body
- Been disqualified from managing or being involved in the management of any company under the *Corporations Act 2001* (Commonwealth)
- Been bankrupt or applied as a debtor to take the benefit of the laws relating to bankruptcy.

Appendix 2: Correct witnessing of documents information sheet

When submitting your application for appointment as a justice of the peace you must:

- make a Statutory Declaration; and
- provide certified copies of supporting documents (Birth Certificate, driver's licence, etc).

The following information has been prepared to help ensure you have provided the necessary information and your documents are witnessed correctly by an **authorised witness**. An authorised witness includes:

- a justice of the peace (JP);
- a Commissioner for taking Affidavits in the Supreme Court; and
- a Proclaimed Police Officer.

For the Statutory Declaration, ensure that:

- You have clearly written your full name (first, middle-if applicable and surname);
- You sign the Statutory Declaration in front of the authorised witness;
- The authorised witness has provided their qualifications;
- If the authorised witness is a JP, they have included their full name, JP Identification Number and the words: "A justice of the peace for South Australia";
- The date and location that the document is witnessed is provided; and
- The authorised witness has signed the Statutory Declaration.

For certifying copies of original documents, ensure that the authorised witness has:

- Signed their certification;
- Written or used a stamp with their full name (first, middle-*if applicable* and surname);
- Provided their qualifications;
- If they are a JP, included their JP Identification Number and the words: "A justice of the peace for South Australia;
- Provided the date and location the document is witnessed; and
- Written key words that show they have viewed the original and the copy of the documents to ensure they are identical documents, for example:
 - True and correct copy;
 - Original; or
 - Sighted by me.

Information about witnessing a Statutory Declaration and certifying documents can also be found in the JP Handbook which is available online at agd.sa.gov.au.

Please note: If your Statutory Declaration and documents are not witnessed correctly your application will not be accepted.

Appendix 3: Instructions to complete the National Police Check application

Completed National Police Check application must be returned to Justice of the Peace Services



South Australia Police National Police Check Application

Please complete pages 1 & 2 of form **online** before printing. *DENOTES MANDATORY FIELD
Enquiries: Information Services Branch (08 7322 3347) - GPO Box 1539 Adelaide SA 5001



Government
of South Australia

CURRENT NAME Print Form

Family/Surname (Single name) You may either complete this application online by visiting www.sapolicy.sa.gov.au, or by hand writing on the form provided.

Given Name(s)

Complete all details in this section.

PREVIOUS/OTHER NAME(S) *(Note: if you have more than one previous name, please fill the sheet at the back of this form.)*

Specify Previous/Other Name Type: Maiden Previous Alias

Family/Surname (Single name only)

Given Name(s)

Middle Name(s)

ADDRESSES

Current Australian Residential Address*

Suburb/Town* Postcode*

Postal Address *(if different to your Current Australian Residential Address)*

Suburb/Town State Postcode

Previous Address

Suburb/Town State Postcode

PLACE AND DATE OF BIRTH Complete all details in this section.

Town/City*

State Country*

Date of Birth* (DD/MM/YYYY)



South Australia Police National Police Check Application



CONTACT DETAILS

Home Telephone

Work Telephone

Mobile Telephone

DRIVER'S LICENCE

Driver's Licence No.

State

GENDER*

Male Female Intersex

Complete all details in this section.

PURPOSE OF CHECK*

Position Title, Occupation or Position Being Sought

Position Title - Enter Justice of the Peace

Proposed Place of Work (Name of Organisation or Type or Workplace)

Proposed Place of Work - Leave Blank

Location of Employment (Town and State/Territory, or Country if Not Australia)

Location of Employment - Enter Adelaide

Will you have contact with Vulnerable Groups?*

Vulnerable groups are defined as:

a) an adult who is:

- (i) disadvantaged or in need of special care, support, or protection because of age, disability, or risk of abuse or neglect, or
- (ii) accessing a service provided to disadvantaged people

- Yes. I will have **unsupervised** contact with vulnerable groups.
- Yes. I will have **supervised** contact with vulnerable groups.
- No. I will **not have any** contact with vulnerable groups.

Contact with Vulnerable Groups - Select No

CATEGORY*

- Employment Visa to Travel/Work Outside of Australia
- Probity Licensing

Category - Select Probity

CHECK TYPE*

- Individual (I) Individual Concession (IC)
- YOAN Volunteer (VC) Volunteer (VP)

Check Type - Select Individual

FINGERPRINTS (Only Livescan prints accepted)

Livescan Fingerprints required (additional fee)

Livescan Reference Number: _____

- NPC and Fingerprints must be paid for together.
- Livescan Reference number must be recorded on this form.
- Refer NPC FAQ's for Livescan locations and additional Fingerprint information.



CONSENT

Please read this section and then sign and date it.

- I certify that the applicant details I have provided are true and correct to the release of full details of any person history and any other relevant information including pending charges or outstanding warrants that any Australian State / Federal / Territory Police or Law Enforcement Agency may have in its possession with reference to me. I understand this may include any spent convictions if there is an applicable exclusion under Schedule 1 of the Spent Convictions Act 2009 or any interstate or federal spent or rehabilitated convictions (however described) under legislation of that State / Territory / Federal jurisdiction.
- I discharge and agree to indemnify and hold harmless the State of South Australia, each of the Australian States / Federal / Territory Police or Law Enforcement Agencies and their employees, servants and agents from and against all claims, demands, actions, law suits, proceedings, costs and damages whatsoever arising out of, or in any way connected with, the release or use of the information.

Applicant Signature: _____ Date: ____/____/____

Guardian Signature: _____ Date: ____/____/____
(if applicant is under 16 years of age)

VOLUNTEER AUTHORITY - Appropriate Section Must Be Completed By Organisation

VOAN (Volunteer Organisation Authorisation Number)

I declare the applicant named on this form is an unpaid VOAN volunteer and the fee is to be paid by the South Australian Government:

VOAN: _____ Organisation: _____ Date: ____/____/____

Authorised Officer's Name: _____ Position: _____

Authorised Officer's Signature: _____ Phone Number: _____

--- OR ---

VOLUNTEER (Reduced Fee)

I declare the applicant named on this form is an unpaid volunteer and is eligible to pay the reduced fee:

Volunteer Organisation: _____ Date: ____/____/____

Authorised Officer's Name: _____ Position: _____

Authorised Officer's Signature: _____ Phone Number: _____

PROOF OF IDENTITY (100 Point ID - at least one form of ID from Category A required)

The applicant is required to present original ID documents for certification. A photocopy of the documents must be cited and provided with this application form. Please provide ID in one name, otherwise a proof of name change (Marriage Certificate, Deed Poll etc.) is required.

CATEGORY A	POINT VALUE	CATEGORY B	POINT VALUE
<input type="checkbox"/> Passport (current or expired within 2 yrs but not cancelled)	70	<input type="checkbox"/> Centrelink Card	40
<input type="checkbox"/> Birth Certificate (not Extract)		<input type="checkbox"/> Veteran Affairs Gold Card	
<input type="checkbox"/> Citizenship Certificate		<input type="checkbox"/> Security Licence (CBS)	
<input type="checkbox"/> Driver's Licence (Including foreign licence) (current or expired within 2 yrs)	40	<input type="checkbox"/> Land Title Records	35
Value of Points = _____		<input type="checkbox"/> Motor Vehicle Registration	25
		<input type="checkbox"/> Seniors Card	
		<input type="checkbox"/> Electoral Enrolment Card	
		<input type="checkbox"/> Rent Records (< 6 months old)	
		<input type="checkbox"/> Proof of name Change (e.g. Deed Poll, Marriage Certificate)	
		<input type="checkbox"/> Utility Accounts (only one < 6 months old)	

To complete this section you must have 100 points of ID sighted by an authorised witness. An authorised witness is a J.P. or any employee of SA Police.

You do not need to provide certified copies of your ID documents with the National Police Check Application form.

AUTHORISATION: SAPOL Employee Justice of the Peace Commissioner For Taking Affidavits (Tick appropriate box)

I have witnessed the applicant's signature and am satisfied as to the correctness of the applicant's identity as per the attached certified identification documentation.

Name: _____ ID Number: _____ Signature: _____

Date: ____/____/____ Fee Paid: (if applicable) \$ _____ Receipt Number: _____

Please return authorised PD267 form to VOAN applicants for endorsement by VOAN organisation



The authorised witness must complete this section by providing their name, ID number, signature and SAPOL or JP stamp.

No fee is payable

Appendix 4 - Referee Report

Instructions for referees to complete the Referee Report

Applications for appointment of JPs will only be considered if they are complete and all documentation is received by Justice of the Peace Services. If the application is not complete or has missing information it will be returned to the applicant.

This Referee Report is one of the documents required.

A referee is to complete and return this Referee Report to Justice of the Peace Services at the address below.

DO NOT GIVE THE REPORT BACK TO THE APPLICANT.

Please note that as a referee you cannot be:

- the applicant's relative by birth or marriage;
- a Member of Parliament; or
- a Member of the Judiciary.

In responding to the points in your Referee Report, please demonstrate that you know the applicant to have qualities, skills and knowledge in these areas:

- effective written and spoken communication in English;
- awareness of and respect for other cultures and religions;
- ethical standards and practices that generate trust and credibility;
- community networks and agencies in South Australia;
- confidentiality of other people's affairs and business; and
- independent, balanced and non-judgmental approach.

For any further information about the Referee Report please contact Justice of the Peace Services on:

Phone: 131 882
Fax: 8204 9605
Email: jpservices@sa.gov.au
Website: agd.sa.gov.au

Please return the completed Referee Report to:

Justice of the Peace Services
GPO Box 1351
ADELAIDE SA 5001

Referee Report in support of a Justice of the Peace Application

Full name of applicant

Address

Suburb/town/city

Postcode

State

Full name of referee

Address

Suburb/town/city

Postcode

State

Occupation

Home phone number

Business phone number

Mobile phone number

Please provide a suitable demonstrated response to these points in support of the application:

How long have you known the applicant? (please give the number of years, the minimum requirement is three years)

Explain how you know the applicant has good communication skills and knowledge of the community.

Explain how you know the applicant is trustworthy and maintains confidentiality.

Explain how you know the applicant respects people from a diverse background, for example, people from other cultures, people with disabilities, the elderly, etc.

Referee Declaration

I hereby provide this report as to the character and suitability of (full name of applicant)

for appointment as a JP in South Australia.

I (full name of referee)

certify that the statements made by me in this Referee Report are true and correct.

Signature

Date

Appendix 4 - Referee Report

Instructions for referees to complete the Referee Report

Applications for appointment of JPs will only be considered if they are complete and all documentation is received by Justice of the Peace Services. If the application is not complete or has missing information it will be returned to the applicant.

This Referee Report is one of the documents required.

A referee is to complete and return this Referee Report to Justice of the Peace Services at the address below.

DO NOT GIVE THE REPORT BACK TO THE APPLICANT.

Please note that as a referee you cannot be:

- the applicant's relative by birth or marriage;
- a Member of Parliament; or
- a Member of the Judiciary.

In responding to the points in your Referee Report, please demonstrate that you know the applicant to have qualities, skills and knowledge in these areas:

- effective written and spoken communication in English;
- awareness of and respect for other cultures and religions;
- ethical standards and practices that generate trust and credibility;
- community networks and agencies in South Australia;
- confidentiality of other people's affairs and business; and
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For any further information about the Referee Report please contact Justice of the Peace Services on:

Phone: 131 882
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Please return the completed Referee Report to:

Justice of the Peace Services
GPO Box 1351
ADELAIDE SA 5001

Referee Report in support of a Justice of the Peace Application

Full name of applicant

Address

Suburb/town/city

Postcode

State

Full name of referee

Address

Suburb/town/city

Postcode

State

Occupation

Home phone number

Business phone number

Mobile phone number

Please provide a suitable demonstrated response to these points in support of the application:

How long have you known the applicant? (please give the number of years, the minimum requirement is three years)

Explain how you know the applicant has good communication skills and knowledge of the community.

Explain how you know the applicant is trustworthy and maintains confidentiality.

Explain how you know the applicant respects people from a diverse background, for example, people from other cultures, people with disabilities, the elderly, etc.

Referee Declaration

I hereby provide this report as to the character and suitability of (full name of applicant)

for appointment as a JP in South Australia.

I (full name of referee)

certify that the statements made by me in this Referee Report are true and correct.

Signature

Date

Appendix 5: Checklist

Please use the following checklist to ensure you have fully completed the application.

An incomplete application will be returned to you and may be declined if resubmitted without proper completion.

I have:

Completed all sections of the Application for Appointment;

Attached a letter detailing why I wish to become a JP and addressed conflict of interest;

Attached a **current certified copy** of an Australian Birth Certificate "if born in Australia" **or** Australian Passport **or** Australian Citizenship Certificate (if not born in Australia) as proof to my Australian Citizenship;

Attached a **current certified copy** of a document as evidence of your current South Australian residential address stated in this application form;

Attached a **current certified copy** of an official change of name certificate **or** deed poll document **or** Official Marriage Certificate issued by Births, Deaths and Marriages (not an extract) as proof of usage to my current name as it is different from the name on the proof I have provided as evidence to being an Australian Citizen;

Attached a **current certified copy** of a document as evidence of the link between your photo and signature;

Ensured the Statutory Declaration is completed (**using my full name**) and has been signed by myself in front of an authorised witness in accordance with the *Oaths Act 1936* (South Australia);

Completed the 20 question assessment and returned it with my application.

Given the referee reports to my referees to complete and for them to send directly to Justice of the Peace Services.

I have not submitted the referee reports with my application.

Completed the National Police Check application as per the instruction sheet provided, and:

- Had my signing of the consent witnessed by an authorised witness;
- Had the 100 point proof of my identity sighted by that authorised witness; and
- **Returned the completed National Police Check application with my completed Application for Appointment form to Justice of the Peace Services.**

Where applicable I have:

Attached a letter detailing my current situation if I am an undischarged bankrupt or have applied as a debtor to take the benefit of the laws relating to bankruptcy.

Attached a certified copy of my bankruptcy discharge letter.

Attached a letter detailing my current situation if I am disqualified from managing or being involved in the management of any company under the *Corporations Act 2001* (Commonwealth).

Attached a letter detailing circumstances for any offences I have declared.

Attached a letter detailing circumstances or relevant documents for any court, tribunal, inquiry, regulatory agency or complaint handling or dispute resolution body who has found me to have acted dishonestly.

Appendix 6: Overview of application and appointment process

STEP 1	Applicant completes the Application for Appointment, National Police Check application and 20 Question Assessment and returns to Justice of the Peace Services.
STEP 2	Applicant gives referees the Referee Report form and referees send completed Referee Reports directly to Justice of the Peace Services.
STEP 3	Justice of the Peace Services check for completeness of the application.
STEP 4	<p>If the application is complete, applicant advised in writing.</p> <p>If the application is incomplete, Justice of the Peace Services will return the application back to the applicant for further information/amendment. If the application is returned to Justice of the Peace Services and is still incomplete/incorrect, the application will be declined and returned. The applicant can then reapply after 12 months.</p>
STEP 5	Justice of the Peace Services requests a National Police Check from SA Police.
STEP 6	If the National Police Check is clear, the Application for Appointment is then submitted to the Attorney-General or the Attorney-General's delegate for consideration.
STEP 7	If the Attorney-General or the Attorney-General's delegate is satisfied that all requirements for appointment have been met, the application is approved.
STEP 8	Appointment is published in the SA Government Gazette.
STEP 9	<p>Following confirmation of appointment in the SA Government Gazette, Justice of the Peace Services will send an oath package to the applicant.</p> <p>* Please note that if you are successfully appointed as a JP you cannot exercise your duties until you take the OATH OF ALLEGIANCE and the JUDICIAL OATH as required by section 7 of the Oaths Act 1936. In taking these oaths you promise allegiance to the Queen. If your completed oaths form is not returned to Justice of the Peace Services within three months of your appointment date, you may be removed from office as a JP for failing to comply with a condition of your appointment.</p>
STEP 10	Applicant must take oaths within three months of their appointment date and the original form must be posted back to Justice of the Peace Services (a scanned copy will not be accepted).
STEP 11	Justice of the Peace Services will send appointment package to applicant (package contains letter, JP ID number, photocopy of oaths and Certificate of Appointment) and provide links to the JP Handbook and Code of Conduct to download.

Justice of the Peace Services (JPS) will keep you informed, in writing, regarding the progress of your application. Please do not contact JPS before two months from sending your application.

Code of Conduct for Justices of the Peace

Schedule 1, Part 1 of the Justices of the Peace Regulations 2006

1. **Justice must act within conditions of appointment**

A justice must not breach, or fail to comply with, a condition of the justice's appointment.
2. **Prohibition on soliciting or accepting fees, gifts etc. in connection with office of justice**
 - (a) A justice must not, whether directly or indirectly, solicit or accept any fee or reward from any person in connection with the office of justice.
 - (b) In this clause—
reward includes any gift, gratuity, benefit or favour.
3. **Conflict of interest and improper influence**
 - (a) A justice must not exercise the powers of a justice in respect of a matter in which the justice has a direct or indirect personal, family, financial or business interest.
 - (b) A justice must not improperly influence, or attempt to influence, a person who seeks the services of a justice.
4. **Administering oaths, taking affidavits, witnessing instruments, etc.**
 - (a) If, under an Act, it is provided—
 - (1) that a declaration may be made before a justice; or
 - (2) that an instrument may be signed or executed in the presence of, or be attested by, a justice,the justice taking the declaration, or witnessing or attesting to the instrument, must do so in accordance with any directions provided under the Act.
 - (b) A justice must not—
 - (1) administer an oath or affirmation to a person; or
 - (2) take the declaration or affidavit of a person; or
 - (3) witness the signing or execution of an instrument,if the justice reasonably doubts that the person is legally or mentally competent to make the oath, affirmation, declaration or affidavit or to execute the document.
5. **Justice must not divulge confidential information**

A justice must not intentionally divulge information of a private, confidential or commercially sensitive nature obtained by the justice in carrying out official duties except—

 - (a) as authorised or required by law; or
 - (b) with the consent of the person from whom the information was obtained or to whom the information relates.
6. **Restrictions on use of office or title of justice**
 - (a) A justice must not—
 - (1) use, or seek to use, the office of justice of the peace for the purpose of advancing the justice's business, commercial or personal interests; or
 - (2) use, or seek to use, the title of justice of the peace for the purpose of advancing the justice's business or commercial interest; or
 - (3) use, or seek to use, the office or title of justice of the peace in a manner, or for a purpose, that may bring the office of justice of the peace into disrepute.
 - (b) Clause (a) does not apply to the use of the title of justice of the peace by a Member of Parliament or member of a council (having the same meaning as in the Local Government Act 1999) on a personal web site or social media page.
7. **General conduct**
 - (a) A justice must not criticise or comment on the choice of a person as to whether the person takes an oath or makes an affirmation.
 - (b) A justice must behave in a proper and courteous manner to any person who seeks the justice's services as a justice.
 - (c) A justice must not engage in dishonest activities or conduct themselves in such a way as to bring the office of justice of the peace into disrepute.

8. **Notice of certain information to be provided to the Attorney-General**

- (a) A justice must, within 14 days after any of the following matters occurring:
- (1) being charged with an offence (other than an offence that is expiable);
 - (2) the withdrawal, dismissal or discontinuance of a charge of an offence (other than an offence that is expiable) alleged to have been committed by the justice;
 - (3) being convicted or acquitted of an offence (other than an offence that is expiable);
 - (4) being found to have acted dishonestly by any court, tribunal, inquiry, regulatory agency or complaint handling or dispute resolution body;
 - (5) becoming bankrupt or applying as a debtor to take the benefit of the law relating to bankruptcy;
 - (6) being disqualified from managing or being involved in the management of any company under the Corporations Act 2001 of the Commonwealth,

provide written notice of the details of the matter to the Attorney-General.

(b) A justice must, within 28 days after a change in—

- (1) the justice's name; or
- (2) the justice's business or home address; or
- (3) the telephone number on which the justice can be contacted during business
- (4) hours or after business hours; or
- (5) the justice's occupation,

provide written notice of the change to the Attorney-General.

(c) A justice must, as soon as practicable after becoming aware—

- (1) that the justice will be absent from the State for a period expected to last at least 3 months; or
- (2) that the justice will, for some other reason, be unable to carry out the justice's official duties as a justice for a period of at least 3 months,

provide written notice of that information to the Attorney-General.