

Procedure for remote witnessing of Commonwealth of Australia States Assembly documents

Rationale

Recent legislative changes have enabled the remote witnessing of many documents to be possible. Part 6A of the *Oaths Act 1867* (Qld) [Act] commenced on 30 April 2022. It permits a “special witness” to witness documents signed by a signatory via audio visual link, irrespective of the location of the signatory and witness. A notary public is regarded as a “special witness” under section 12(1)(e) of the Act.

Procedure for signing and witnessing documents via audio visual link

The following steps must be observed for the remote witnessing of Commonwealth of Australia States Assembly documents to be achieved:

1. The proposed signatory [applicant] will need to make initial contact with me via email at robert.mcintyre1@bigpond.com and request remote witnessing of their documents.
2. I will respond to the email and request that the applicant send to me:
 - (a) a copy of all the documents that they need to have signed and notarised
 - (b) a copy of their ID (comprising their photo and signature – e.g. driver licence)
 - (c) details of whether their documents are a conveyance or a re-conveyance and which colour pen they propose to use when signing their autograph [query whether this step is necessary]
 - (d) confirmation that they have access to the relevant audio visual program [Zoom, WhatsApp, Skype etc - final details of audio visual program/s needs to be sorted by me prior to commencement of procedure]
 - (e) confirmation that they are prepared to sign their documents via the audio visual link
 - (f) confirmation that they consent to having the signing process recorded and retained by me
3. Once received and accepted by me, I will respond to the applicant by email to arrange a suitable appointment time (applicants will need to allow up to 90 minutes for the signing process to be completed because all pages will need to be signed in ink and then thumb-printed using a red stamp pad). I will also provide a quote for my services.
4. Once an appointment time has been agreed and my quote has been accepted, I will set up a video link and send the details to the applicant.

5. At the appointed time I will contact the applicant via the audio visual link so that the signing process can commence.
6. After the applicant has signed and thumb-printed their documents the audio visual link will be terminated.
7. The applicant will then need to send to me by Express Post:
 - (a) the signed documents
 - (b) a stamped self-addressed envelope (preferable Express Post) so that I can return the documents to them
 - (c) cash in payment of my fee

The Express Post envelope should be addressed to me as follows:

Robert McIntyre
Notary Public
P O Box 1206
Noosaville Qld 4566

8. Once received, and if in order, I will notarise the documents as required and return them to the applicant in the return envelope provided, together with a receipt in payment of my fee, thus completing the procedure.

Robert McIntyre
Notary Public
Noosaville, Qld
0412 048 066