



ANNO QUARTO

GEORGII V REGIS.

A.D. 1913.

No. 1114.

An Act to amend the Law relating to the Taking of Declarations and the Attestation of Documents.

[Assented to, September 18th, 1913.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Declarations and Attestations Act, 1913." Short title.

2. In this Act— Interpretation.

"Bank" means any company or firm which is publicly engaged in the said State in the ordinary business of banking, and whose charter, letters patent, or deed of copartnership and settlement has been registered and deposited in the Supreme Court pursuant to "The Banking Companies Act, 1863," and includes the Savings Bank of South Australia, and also includes the Commonwealth Bank of Australia: No. 25 of 1863.

"Bank manager" means a person appointed to take charge of the head or any branch office in the said State of a bank:

"Instrument" means any instrument or document in writing:

"Postmaster" means a person appointed to take charge of a post office in the said State:

"Proclaimed" means appointed by the Governor by proclamation under this Act.

3. (1) The

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Certain persons may be appointed to take declarations and attest instruments.

3. (1) The Governor may, by proclamation, appoint such postmasters, bank managers, and members of the Police Force of the said State as he deems proper to take declarations and attest the execution of instruments pursuant to this Act.

(2) The appointment of any person under this section shall be terminated by—

(a) his death,

(b) his ceasing to be a postmaster, bank manager, or member of the said Police Force (according to the nature of the qualification by virtue of which he was appointed), or

(c) the revocation thereof by the Governor by proclamation.

(3) Every proclamation made under this section, and notice of the termination by any means other than proclamation of any appointment made under this section, shall be published in the *Government Gazette*.

Who may take declarations and attest instruments.

4. Whenever by or under any Act it is provided—

(a) that any declaration shall or may be made before a Justice of the Peace, or a Justice of the Peace or some other person or authority, or

(b) that any instrument shall or may be signed or executed in the presence of, or be attested by, a Justice of the Peace, or a Justice of the Peace or some other person or authority,

that provision shall be deemed to be complied with if, in the case of a declaration, the same is made before, or, in the case of an instrument, the same is signed or executed in the presence of or attested by (as the case may require), either—

- i. a Justice of the Peace for the said State, or, if the particular Act so permits, for any other State or country, or such other person or authority, or
- ii. any proclaimed postmaster, or
- iii. any proclaimed bank manager, or
- iv. any proclaimed member of the Police Force of the said State:

Provided that, if the declaration is made before, or the instrument is signed or executed in the presence of or attested by, a proclaimed postmaster, bank manager, or member of the said Police Force, the name of the town or other place where his office is situated, or he is stationed, is stated on such declaration or instrument in connection with his signature and description.

Meanings of certain terms used in or upon declarations and instruments.

5. The words "proclaimed postmaster," or "proclaimed bank manager," or "proclaimed police officer" appearing after any signature in or upon any declaration or instrument shall respectively be

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be taken to mean proclaimed postmaster, or proclaimed bank manager, or proclaimed member of the Police Force of the said State, as defined by this Act, unless a different meaning is indicated in or upon such declaration or instrument. Cf. Act 926, 1907, s. 6.

6. The provisions of this Act shall apply notwithstanding the provisions of "The Real Property Act, 1886," or any other Act or law. Act to apply, notwithstanding provisions of any other Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.

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