

# 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 in April 2022. It permits a “*special witness*” to witness documents signed by a person [signatory] via audio visual link, irrespective of the location of the signatory and witness. A notary public is 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](mailto: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
  - (d) confirmation that they will have available at time of signing either a red or blue pen [depending upon the nature of their documents] to sign their autograph and a red stamp pad for affixing their thumbprint
  - (e) confirmation that they have good internet access sufficient to enable a virtual meeting to be held by audio visual link continuously for up to 90 minutes, a web cam, Windows 10 or higher [or Mac equivalent] and the ability to accept an invitation to attend a Zoom meeting
  - (f) confirmation that they can position their camera and sign their documents during the virtual meeting in such a way that I can see them sign their autograph
  - (g) confirmation that they consent to having the meeting and signing process recorded and a copy being 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 of their documents will need to be signed and then thumb-printed. In the same email 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 Zoom meeting request 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 virtual meeting and signing process can commence.
6. After the applicant has signed and thumb-printed their documents and the virtual meeting has finished, 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