

## 2.3 Your role and responsibilities in the community

As a Cdec, your main role is to witness the signing of official documents. The community expects you to be constantly mindful that, as you discharge your duties, you are an integral part in the administration of justice.

The position of a Cdec indicates you are trusted to act responsibly. When a Cdec witnesses documents, they have more legal weight than a document witnessed by someone without any official position. The community will expect you to have some understanding of the documents brought before you.

You have a duty of care to act within your scope of practice. You cannot provide legal advice in your role as a Cdec.

You must carry out your duties in a professional manner, ensure the *Code of conduct* is adhered to, and ensure consistent witnessing practises, procedural and legislative guidelines are always followed.

### Why this role is important

The duties of a Cdec are not to be taken lightly. You have a vital and responsible role to play in the general community. You will, at times, deal with matters of crucial importance to people's lives. For instance:

- Some of the documents you process will have substantial financial implications for the people involved.
- Some documents may ultimately be used in court proceedings where a person's liberty may be at stake.
- You have the authority to witness enduring power of attorney documents, which may ultimately control how a person is treated in hospital or in a nursing facility.

### An outline of your duties as a Cdec

Your duties fall into two main categories:

- witnessing people signing documents as prescribed by law
- certifying copies of documents as true copies, copies of a copy, or copy of a download.

### Who will use my services?

The services of the Cdec are in demand by commerce and industry, all levels of government, and the community in general.

You are appointed to serve all members of the community, not just a select few in the organisation in which you work or participate or for the organisation's customers. You should make yourself available to offer your services whenever possible.

### Am I allowed to act as a Cdec outside Queensland?

Yes, you may act outside Queensland, as long as the document you are witnessing or the duty you are fulfilling comes under Queensland law (and the document is to be used in Queensland) or Commonwealth law.

For example, you can witness a statutory declaration anywhere in the world, as long as it applies to matters under Queensland law and is intended for use in Queensland.

You can also generally witness a Commonwealth document anywhere in Australia for use anywhere in Australia, subject to any special provisions required by the legislation that covers such documents.

## When should I be available?

You should be available to carry out your duties at all times, as people may contact you at any time of the day or night. If you are busy, you can make an appointment for a time that suits both you and the person seeking your services.

## How can people who need my services find me?

The names and contact telephone numbers of all Cdecs and JPs are listed in a database maintained by the registrar of the JP Branch.

The department also has a directory of Cdecs who are willing to have their name, category, suburb and phone number listed on the internet.

The mobile website at [www.justice.qld.gov.au/jpapp](http://www.justice.qld.gov.au/jpapp) gives members of the community an easy way to locate witnessing services.

You may also wish to volunteer in the JPs in the Community program. Another way you can make yourself available is to contact your local police station, hospital and other organisations and advise them of your availability.

## Resigning from office

If at any time you wish to resign from your position, you can do so by notifying the registrar of JP Branch in writing or online at [www.qld.gov.au/resignjp](http://www.qld.gov.au/resignjp).

If, after you resign, you wish to be reappointed as a JP or Cdec, you will need to reapply through your State Member of Parliament and undertake the mandatory training course again.

## Moving interstate

There is no requirement for you to resign from your position if you move overseas or interstate, provided you remain registered on the Queensland electoral roll. There are times when people living interstate or overseas request Queensland JPs to witness Queensland or Commonwealth documents.

If you are moving, whether within Queensland or beyond, please ensure you notify the registrar of the JP Branch.

## How do I update my contact details?

You can update your details by contacting the JP Branch or online at [www.qld.gov.au/updatejpdetails](http://www.qld.gov.au/updatejpdetails). Updating your details will mean JP Branch can keep you informed about dates and locations of professional development opportunities, updates related to your responsibilities, latest news and other matters relating to your role.