



Queensland

Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Amendment Regulation 2021

Subordinate Legislation 2021 No. 28

made under the

COVID-19 Emergency Response Act 2020

Oaths Act 1867

Powers of Attorney Act 1998

Property Law Act 1974

Succession Act 1981

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1 Short title

This regulation may be cited as the *Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Amendment Regulation 2021*.

2 Regulation amended

This regulation amends the *Justice Legislation (COVID-19 Emergency Response—Documents and Oaths) Regulation 2020*.

3 Amendment of s 20 (Action after witness confirms document)

Section 20(2)—

insert—

Note—

The certificate must be kept with the official version of the document under section 24(4A).

4 Amendment of s 21 (Certificate by special witness)

(1) Section 21(2)—

insert—

Note—

The certificate or a true copy of the certificate must accompany the document or a true copy of the document given under section 20—see section 20(2).

(2) Section 21(4)—

omit.

5 Amendment of s 22 (When document starts to be effective)

Section 22(2)—

omit, insert—

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- (2) However, an enduring document starts to be effective in relation to an attorney only if and when the attorney accepts the appointment by signing either the official version or the originating version of the document.
 - (3) Subsections (1) and (2) apply even if—
 - (a) the witness confirms the document on a later day than the day the signatory or substitute signatory signs the document; and
 - (b) for an enduring document under which an attorney is appointed—the witness confirms the document on a later day than the day the attorney accepts the appointment.

6 Amendment of s 24 (Official and originating versions of document)

- (1) Section 24—

insert—

- (4A) Also, a certificate signed under section 21 must be kept with the official version.

- (2) Section 24(6)—

omit, insert—

- (6) However, nothing in subsection (5) makes an enduring document effective in relation to an attorney.

Note—

See section 22(2) for when an enduring document starts to be effective in relation to an attorney.

- (7) Also, subsection (5) does not limit the power of a court to require production of the originating version of the document in a proceeding.

ENDNOTES

- 1 Made by the Governor in Council on 13 April 2021.
- 2 Notified on the Queensland legislation website on 14 April 2021.
- 3 The administering agency is the Department of Justice and Attorney-General.

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