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## LawTalk Blog



# What is the difference between a Justice of the Peace and a Notary Public?

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Most Australians will at some point require the services of a Justice of the Peace or a Notary Public. People often wonder what the difference is between the two.

## What is a Justice of the Peace?

You may have heard the position referred to colloquially as a 'JP'.

A JP in Australia is able to formally witness documents that are being used for official or legal purposes and their role is to be both independent and objective.

Common interactions with a JP may include certifying copies of a document, witnessing affidavits, witnessing signatures and taking statutory declarations. This is not an exhaustive list and the role of a JP will vary based on the relevant law in each State.

The services of a JP are limited only to use within Australia.

## What is a Notary Public?

You may have heard of a Notary Public as either a Public Notary or more simply a Notary.

They perform a very similar role to that of a JP however, their service is recognised beyond Australian borders.

A Public Notary is authorised to witness, certify and draw up documents for use in overseas jurisdictions. This becomes especially important in cross-border business transactions and contracts as well as in family environments where members are located globally.

As the world has become more upwardly mobile and people own assets in a number of jurisdictions the services of a Public Notary are highly sought after.

## Summarizing the differences between a Justice of the Peace and Notary Public

The defining difference as already mentioned is the ability for the services of a Public Notary to be recognised internationally. Practically, this is differentiated by the signature and official seal of a Public Notary which is officially recognised in Australian and International courts.

A Public Notary will typically perform services like verifying identity and witnessing documents where the documents, subject matter and/or individuals are intended for use in overseas jurisdictions.

Documents witnessed or which otherwise bear the signature of a JP on the other hand will not be accepted in most other countries, nor will the signature of an Australian lawyer who is not a Notary for that matter.

Further information as to all the services of a Public Notary can be found at the [Notaries Society of South Australia Inc.](#)

## Do you need a Public Notary?

In 2016, Senior Associate at Andersons Solicitors [Errol Kaplan](#), was admitted by the Supreme Court of South Australia as a Public Notary.

Errol practices primarily in the areas of wills and estates; property law and commercial law but also has a broad range of experience. He can be contacted at our Adelaide office to discuss your notarial needs.

This blog post has been written by Law Clerk, Antony Boonen and settled by Senior Associate, [Errol Kaplan](#).

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