

23 November 2016

**Attention:**

Tim Horton, The Registrar  
NSW Architects Registration Board  
Level 2, 156 Gloucester Street  
Sydney NSW 2000 Australia

**Statutory Declaration Witnessing by Architects**

Dear Mr Horton,

I have recently become aware that under the Commonwealth Statutory Declaration Regulations 1993, architects are not listed as an occupation suitable to witness a Statutory Declaration, nor are they covered under "Other persons". It is unclear to me why architects are excluded from what is otherwise a relatively comprehensive list of white collar professions in Australia. (See attached extract).

I believe that registered architects are held in similar esteem to engineers, teachers, accountants, psychologists and legal practitioners (to name but a few of the approved persons and occupations) in the general community and as they are appropriately regulated by the state, they should be added to the Schedule to enable them to witness statutory declarations for Commonwealth purposes. As such I am asking you in your capacity as the NSW Registrar to apply to the federal Attorney-General to amend the relevant regulation. I look forward to hearing your response to this matter.

Yours sincerely,

Clinton Cole B.Arch, BSc.Arch

**Director**

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STATUTORY DECLARATIONS REGULATIONS 1993 - SCHEDULE 2

Persons before whom a statutory declaration may be made

Part 1 -- Occupations

Item	Occupation
101	Chiropractor
102	Dentist
103	Legal practitioner
104	Medical practitioner
105	Nurse
106	Optometrist
107	Patent attorney
108	Pharmacist
109	Physiotherapist
110	Psychologist
111	Trade marks attorney
112	Veterinary surgeon

Part 2 -- Other persons

Item	Person
201	Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
202	Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955 )
203	Bailiff
204	Bank officer with 5 or more continuous years of service
205	Building society officer with 5 or more years of continuous service
206	Chief executive officer of a Commonwealth court
207	Clerk of a court
208	Commissioner for Affidavits
209	Commissioner for Declarations
210	Credit union officer with 5 or more years of continuous service
211	Employee of the Australian Trade and Investment Commission who is: (a) in a country or place outside Australia; and (b) authorised under paragraph 3 (d) of the Consular Fees Act 1955 ; and (c) exercising his or her function in that place
212	Employee of the Commonwealth who is:

Item	Person
	(a) in a country or place outside Australia; and (b) authorised under paragraph 3 (c) of the Consular Fees Act 1955 ; and (c) exercising his or her function in that place
213	Fellow of the National Tax Accountants' Association
214	Finance company officer with 5 or more years of continuous service
215	Holder of a statutory office not specified in another item in this Part
216	Judge of a court
217	Justice of the Peace
218	Magistrate
219	Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
220	Master of a court
221	Member of Chartered Secretaries Australia
222	Member of Engineers Australia, other than at the grade of student
223	Member of the Association of Taxation and Management Accountants
224	Member of the Australian Defence Force who is: (a) an officer; or (b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or (c) a warrant officer within the meaning of that Act
225	Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the Institute of Public Accountants
226	Member of: (a) the Parliament of the Commonwealth; or (b) the Parliament of a State; or (c) a Territory legislature; or (d) a local government authority of a State or Territory
227	Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
228	Notary public
229	Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
230	Permanent employee of: (a) the Commonwealth or a Commonwealth authority; or (b) a State or Territory or a State or Territory authority; or (c) a local government authority;

Item	Person
	with 5 or more years of continuous service who is not specified in another item in this Part
231	Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
232	Police officer
233	Registrar, or Deputy Registrar, of a court
234	Senior Executive Service employee of: (a) the Commonwealth or a Commonwealth authority; or (b) a State or Territory or a State or Territory authority
235	Sheriff
236	Sheriff's officer
237	Teacher employed on a full-time basis at a school or tertiary education institution
238	Member of the Australasian Institute of Mining and Metallurgy