

CHAPTER 255.

STATUTORY DECLARATIONS.

[No. V of 1893.]

[22nd February, 1893.]

1. This Ordinance may be cited as the Statutory Declarations Ordinance. Short title.

2. No magistrate, justice of the peace, or other person may lawfully administer or cause or allow to be administered, or receive or cause or allow to be received, any oath, affidavit, or solemn affirmation touching any matter or thing whereof that magistrate, justice, or other person has not jurisdiction or cognisance by some statute in force for the time being : Prohibition of administration of oath or affidavit, except where jurisdiction exists :

Provided that nothing herein contained shall be construed to extend to any oath, affidavit, or solemn affirmation, before any magistrate or justice in any matter or thing touching the preservation of the peace or the prosecution, trial, or punishment of offences, or to any oath, affidavit, or affirmation required by the laws of any country or place beyond this colony to give validity to any instrument in writing designed to be used in that country or place. Proviso.

3. Subject to the provisions hereinafter contained, wherever confirmation of any written instrument or allegation, or the proof of any debt or of the execution of any deed or other matter is required, any judge, magistrate, justice of the peace, notary public, commissioner authorised to administer oaths to affidavits, or other officer now by law authorised to administer an oath, may take the declaration of any person voluntarily making it before him, in the form in the schedule hereto. Power to certain persons to take voluntary declarations.

4. Everyone who makes a declaration according to this Ordinance containing any statement false in fact, which he knows or believes to be false or does not believe to be Making false declaration.

- Penalty. true, shall be guilty of a misdemeanour, and, on conviction thereof, shall be liable to imprisonment with or without hard labour, for any term not exceeding one year.
- Mode of referring to declaration. **5.** A declaration made under this Ordinance may be referred to in any Ordinance, or in any official or legal document, as a statutory declaration.
- Fee payable by declarant. **6.** Whenever a declaration is made and subscribed by any person according to this Ordinance, any fee which would have been due and payable on the taking or making any legal oath, affidavit, or solemn affirmation, shall in like manner be due and payable upon making and subscribing the declaration.
- Savings. **7.—(1)** Nothing in this Ordinance shall extend or apply;
 - (a) to the oath of allegiance in any case in which that oath is or may be required to be taken by any person; that oath continuing to be required and being administered and taken in the same manner as if this Ordinance had not passed; or
 - (b) to any oath, affidavit, or solemn affirmation now, or hereafter taken or made, or required to be taken or made, to verify and prove the execution of any instrument or document in order to the due depositing, or registering, or recording thereof in the deeds registry or otherwise, or to any oath, affidavit, or solemn affirmation now or hereafter taken or made, or required to be taken or made, in any judicial proceeding in any court of justice, or in any proceeding before any magistrate or justice of the peace; all those oaths, affidavits, and affirmations continuing to be required and being administered, taken, and made in the same manner as if this Ordinance had not passed; or
 - (c) to any oath or solemn affirmation now or hereafter required to be taken or made under or by virtue of any commission or instruction of His Majesty or of the Governor; that oath or affirmation continuing to be required and being administered, taken, and made in the same manner as if this Ordinance had not passed; or

(d) to any oath for the due execution of any office or employment.

(2) Nothing in this Ordinance shall be deemed to interfere with the operation of the Statutory Declarations Act, 1835. 5 & 6 Will. 4, c. 62.

SCHEDULE.

(Section 3.)

FORM OF STATUTORY DECLARATION.

I, _____ do solemnly and sincerely declare as follows:—
 [here state the matters declared.]

I make this declaration conscientiously believing the same to be true, and according to the Statutory Declarations Ordinance.

(Signed)

Declarant.

Declared before me this _____ day of _____ 19 . . }
 (Signed)
