

CHAPTER 5:09

STATUTORY DECLARATIONS ACT

ARRANGEMENT OF SECTIONS

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SCHEDULE-- Form of Statutory Declaration.

1929 Ed.

c. 255

1953 Ed.

c. 36

5 of 1893

An Act for the Suppression of Voluntary and Extra-Judicial Oaths and Affidavits.

[22ND FEBRUARY, 1893]

1. This Act may be cited as the Statutory Declarations Act.

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 to 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 cognizance by some law 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,

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Statutory Declarations

or affirmation required by the laws of any country or place beyond Guyana to give validity to any instrument in writing designed to be used in that country or place.

Power to
certain persons
to take
voluntary
declarations.
[4 of 1972]

3. (1) 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.

(2) Subject to section 7, wherever by any written law specified by order of the Minister for the purposes of this section, an oath or an affidavit may, or is, required to be taken or made by any person for any purpose, any judge, magistrate, justice of the peace, notary public, commissioner authorised to administer oaths to affidavits, or other officer authorised to administer an oath, may take the declaration of such person in the form in the Schedule and such declaration shall for all purposes whatsoever have effect as if it were an oath or an affidavit, as the case may be, taken or made by such person under that written law.

Making false
declaration.

4. Everyone who makes a declaration according to this Act containing any statement false in fact, which he knows or believes to be false or does not believe to be true, shall be guilty of a misdemeanour and shall be liable to imprisonment for one year.

Mode of
referring to
declaration.

5. A declaration made under this Act may be referred to in any Act, 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 Act, 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. Nothing in this Act 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 Act had not been passed; or

(b) to any such 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 Act had not been passed; or

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

SCHEDULE

s. 3

FORM OF STATUTORY DECLARATION

I, do solemnly and sincerely declare as follows-
[here state the matter declared.]

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

(Signed).....
Declarant

Declared before me this)
day of 19 .)

(Signed)