



FALKLAND ISLANDS

Commissioners for Oaths Rules 1992

(S.R. & O. No. 20 OF 1992)

ARRANGEMENT OF PROVISIONS

Rule

1. Citation
2. Fees
3. Restrictions on taking affidavits and declarations



FALKLAND ISLANDS

Commissioners for Oaths Rules 1992

*[DATE OF COMMENCEMENT: 1ST OCTOBER 2005]
(Unless otherwise indicated)*

1 Citation

These Rules may be cited as the Commissioners for Oaths Rules 1992.

2 Fees

(1) A commissioner for oaths may on administering any affidavit or statutory declaration charge the following fees:

- (a) on each affidavit, affirmation, or declaration £10.00

[S. 6(a)/Ord. 5/2015/w.e.f. 1/7/2015.]

- (b) on each exhibit to an affidavit or declaration £5.00

[S. 7/Ord. 5/2016/w.e.f. 1/7/2016.]

(2) A commissioner for oaths who is a public officer shall pay all fees paid to him as such into the Consolidated Fund.

3 Restrictions on taking affidavits and declarations

(1) A commissioner for oaths shall not knowingly administer any affidavit or statutory declaration in any matter in which he is interested.

(2) For the purposes of paragraph (1), a commissioner for oaths is deemed to be interested in a matter-

- (a) where the intended deponent is his spouse, parent, child or sibling;
- (b) where he is a legal practitioner acting for the intended deponent in that matter or any person having a contrary interest to that of the deponent in the matter;

- (c) where the affidavit is required for use in or in connection with any proceedings and he or any person referred to in subparagraph (a) is a party to those proceedings or, subject to paragraph (3), his employer or any partner of his or of his employer is a party to those proceedings;
- (d) where the commissioner for oaths is a legal practitioner and he, his partner, or subject to paragraph (3), any fellow employee of his is, as a legal practitioner, acting for any person in connection with any transaction in relation to which the affidavit or statutory declaration is to be sworn or made.

(3) Nothing in paragraph (2)(a) and (b) operates to prevent a commissioner for oaths who is the Senior Magistrate or the Registrar of the Supreme Court administering an affidavit or statutory declaration where otherwise, by virtue of either or those subparagraphs, he would be precluded from administering it for either or both of the following reasons and for no other reason:

- (a) Her Majesty in right of Her Government in the Falkland Islands, the Governor, the Attorney General, or any public officer in his official capacity is a party to the proceedings; or
- (b) the intended deponent is in the employment of Her Majesty in right of Her Government in the Falkland Islands.