

**COMMISSIONERS OF AFFIDAVITS ACT**

**CHAPTER 6:52**

**Act**

**22 of 1908**

Amended by

14 of 1939

21 of 1955

5 of 1977

6 of 1993

\*21 of 2022

(\*See Note on page 2)

**Current Authorised Pages**

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**Note on Subsidiary Legislation**

This Chapter contains no subsidiary legislation.

**Note on Delegation of Powers and Duties**

By GN 28/1962 dated 23rd March 1962, the Governor deputed the Chief Justice to exercise the powers which he was empowered to exercise under sections 3 and 5 of the Commissioners of Affidavits Ordinance (*viz.* the power to appoint Commissioners of Affidavits and to prescribe fees payable for affidavits sworn before such Commissioners).

**Note on Adaptation**

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 52/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

**Note on Act No. 21 of 2022**

Amendments made to this Act by Act No. 21 of 2022 took effect on 1st January 2023.

**CHAPTER 6:52**

**COMMISSIONERS OF AFFIDAVITS ACT**

**An Act relating to Commissioners of Affidavits.**

1950 Ed.  
Ch. 7. No. 6.  
22 of 1908.

[4TH APRIL 1908]

Commencement.

**1.** This Act may be cited as the Commissioners of Affidavits Act. Short title.

**2.** All Magistrates, Justices and Clerks of the Peace shall be *ex officio* Commissioners of Affidavits for the districts for which they are appointed. Ex officio Commissioners.

**3.** (1) The President may appoint fit and proper persons to be Commissioners of Affidavits, and assign a district to each of such Commissioners. Power to appoint Commissioners. [6 of 1993 21 of 2022].

(2) On acceptance of such appointment the Commissioners shall pay to the Registrar General a fee of four hundred dollars each.

(3) Every such appointment may at any time be revoked by the President.

**4.** Every affidavit sworn before any Commissioner of Affidavits in the course of any action, suit or other proceeding pending in the Supreme Court shall be as effectual to all intents and purposes as if such affidavit had been sworn before one of the Judges of the said Court. Affidavits in action or suit.

**5.** (1) Every Commissioner of Affidavits shall charge a fee of ten dollars for each affidavit sworn before him and two dollars and fifty cents for each exhibit attached thereto. Fees payable. [5 of 1977 6 of 1993 21 of 2022].

(2) Subject to subsection (3) the fees shall be paid by affixing stamps to the affidavit and such stamps shall be cancelled by the Commissioner.

(3) The President may from time to time authorise any Commissioner appointed under section 3 to appropriate to his own use all fees for affidavits sworn before him, and such fees shall not then be payable by means of stamps.

(4) Before the grant of an authorisation under subsection (3), the Commissioner shall pay to the Comptroller of Accounts for payment into the Consolidated Fund the sum of two hundred dollars and thereafter, on every anniversary date of such grant an additional sum of two hundred dollars shall be paid so long as the authorisation remains in effect.

(5) Any Commissioner who on 24th February 1977 was so authorised to appropriate to his own use, fees for affidavits sworn to before him shall be deemed to have been so authorised under subsection (3) and shall not be liable to pay the fee prescribed by subsection (4).

(6) The President may from time to time by Order published in the *Gazette* increase any of the fees set out in this section.

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