5th Session Second Parliament Trinidad and Tobago
20 Elizabeth II

TRINIDAD AND TOBAGO

Act No. 3 of 1971

[L.S.]

AN ACT to empower Diplomatic Agents and Consular Officers to administer oaths, take affidavits and to perform notarial acts.

[*Assented to 25th March,* 1971]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows: Enactment

1. This Act may be cited as the Diplomatic Agents and Consular Officers (Oaths and Notarial Acts) Act, 1971. Short title

Interpretation

2. (1) In this Act—

"consular officer" means, subject to subsection (2), any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions;

"consular post" means any consulate general, consulate, vice-consulate or consular agency;

"diplomatic agent" means, subject to subsection (3), the head of a mission or a member of the diplomatic staff of a mission;

"mission" means an Embassy or High Commission.

(2) A reference to a Trinidad and Tobago consular officer includes a reference to a consular officer of a State other than Trinidad and Tobago, acting as such on behalf of the Government of Trinidad and Tobago.

(3) A reference to a Trinidad and Tobago diplomatic agent includes a reference to a diplomatic agent of a State other than Trinidad and Tobago acting as such on behalf of the Government of Trinidad and Tobago.

Trinidad and Tobago diplomatic agent may administer oaths, etc.

3. (1) Every Trinidad and Tobago diplomatic agent or Trinidad and Tobago consular officer exercising his functions as such in any country or place other than Trinidad and Tobago may, in that country or place administer any oath, take any affidavit or statutory declaration and do any notarial act. Every such oath, affidavit, statutory declaration or notarial act administered, taken or done by or before any such person shall be as effectual as if administered, taken or done by or before any lawful authority in Trinidad and Tobago.

(2) Any document purporting to bear the seal and signature of any person authorised by this section to administer an oath in testimony of any oath, affidavit, statutory declaration or act being administered, taken or done by or before him shall be admitted in evidence without proof of the seal or signature being the seal or signature of that person, or of the official character of that person.

4. (1) A diplomatic agent or consular officer of any State exercising his functions as such in Trinidad and Tobago may, if authorised to do so under the laws of that State, administer oaths, take affidavits or statutory declarations and do notarial acts— Diplomatic agent of any State may administer oaths if so authorised by laws of that State.

(*a*) required by any person for use in that State or under the laws thereof; or

(*b*) otherwise required by a national of that State but not for use in Trinidad and Tobago except under the laws of some other State.

(2) The Governor-General may by Order exclude or restrict the provisions of subsection (1) in relation to the diplomatic agents or consular officers of any State if it appears that in such State Trinidad and Tobago diplomatic agents or Trinidad and Tobago consular officers are not permitted to perform functions corresponding in nature and extent to those authorised by that subsection.

5. Every person before whom any oath, affidavit or statutory declaration is taken or made under this Act shall state in the jurat or attestation at what place and on what date the oath or affidavit is taken or made. Jurat

Passed in the House of Representatives this 5th day of February, 1971.

G. R. LATOUR
Clerk of the House

Passed in the Senate this 16th day of February, 1971.

J. E. CARTER
Clerk of the Senate

GOVERNMENT PRINTERY, TRINIDAD, TRINIDAD AND TOBAGO—1971