

Malawi

Oaths, Affirmations and Declarations Act

Chapter 4:07

Legislation as at 31 December 2014

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Oaths, Affirmations and Declarations Act Contents

Part I – Preliminary	1
1. Short title	1
Part II – Oaths and affirmations	1
2. Persons by whom oaths and affirmations must be made	1
3. Authority to administer oaths and affirmations	1
4. Commissioners for oaths, etc.	1
5. Penalty for holding self out as commissioner for oaths without entitlement and suspension from practising	2
6. How oaths and affirmations may be administered	2
7. Effect of irregularities	3
8. Rules relating to duties of commissioners for oaths	3
Part III – Statutory declarations	3
9. Statutory declarations	3
Part IV – Miscellaneous	3
10. Jurat, etc. to state where and when oath etc., taken	3
11. Savings	3
First Schedule (Section 4 and 5)	4
Second Schedule (Section 6(1))	4
Third Schedule (Section 9(1))	4
Fourth Schedule (Section 9(5))	5
Fifth Schedule (Section 9(5))	5

Malawi

Oaths, Affirmations and Declarations Act

Chapter 4:07

Assented to on 21 December 1967

Commenced on 1 February 1968

[This is the version of this document at 31 December 2014.]

[Note: This version of the Act was revised and consolidated in the Forth Revised Edition of the Laws of Malawi (L.R.O. 1/2015), by the Solicitor General and Secretary for Justice under the authority of the Revision of the Laws Act.]

An Act relating to Oaths, Affirmations and Declarations and 45 of 1967 Matters Incidental thereto

Part I – Preliminary

1. Short title

This Act may be cited as the Oaths, Affirmations and Declarations Act.

Part II – Oaths and affirmations

2. Persons by whom oaths and affirmations must be made

- (1) Oaths and affirmations shall be made for the purposes of judicial proceedings by—
 - (a) all persons who may lawfully be examined, or give, or be required to give, evidence by or before any court or person having by law or consent of parties authority to examine such persons or receive evidence;
 - (b) interpreters of questions put to and evidence given by such persons;
 - (c) assessors.
- (2) Oaths and affirmations by interpreters and assessors shall be made in the same manner as that prescribed by [section 6](#) in the case of witnesses.

3. Authority to administer oaths and affirmations

- (1) Courts and persons having by law or consent of parties authority to examine witnesses or receive evidence are authorized to administer by themselves or by an officer empowered by them in that behalf, oaths and affirmations in discharge of their duties, or in exercise of the powers imposed or conferred upon them respectively by law.
- (2) A commissioner for oaths may either in Malawi or beyond it administer any oath or affirmation or take any affidavit for the purpose of any judicial or other proceeding in Malawi.

4. Commissioners for oaths, etc.

- (1) The following persons shall be commissioners for oaths—