

# **Oaths and Declarations Bill**

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**Bill No: 24/2000**

***Read the first time: 9th October 2000***

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## **Oaths and Declarations Bill**

### **Bill No. 24/2000**

*Read the first time on 9th October 2000.*

An Act to amend and consolidate the law relating to oaths and statutory declarations, and to repeal certain statutes, and to make consequential amendments to certain written laws.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

### **PART I**

#### **PRELIMINARY**

##### **Short title and commencement**

1. This Act may be cited as the Oaths and Declarations Act 2000 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

##### **Interpretation**

2. In this Act, unless the context otherwise requires —

“affirmation” means an affirmation referred to in section 5;

“caution” means a caution referred to in section 6;

“oath” means an oath administered or taken for any purpose, whether in judicial proceedings or otherwise;

“person acting judicially” means a person, tribunal, commission or other body having by law or consent of the parties power to receive evidence.

### **PART II**

#### **OATHS**

##### **Power to administer oaths, etc.**

3.—(1) A court or person acting judicially may administer, or may empower an officer to administer, an oath, affirmation or caution.

(2) Subsection (1) is without prejudice to the provisions of any other written law

conferring on any person the power to administer an oath, affirmation or caution.

### **Oaths to be taken by witnesses and interpreters**

4.—(1) Without prejudice to the provisions of any other written law, oaths shall be taken by the following persons:

- (a) a person who may be lawfully examined, or who may give or be required to give evidence, by or before a court or person acting judicially;
- (b) an interpreter of questions put to, and of evidence given by, a person referred to in paragraph (a).

(2) Subsection (1) shall not apply to —

- (a) the official interpreter of a court; or
- (b) a certificated interpreter in the public service,

when performing his duties as such interpreter, if he has taken an oath to faithfully discharge those duties.

### **Affirmation in lieu of oath**

5. Where a person required by section 4 or any other written law to take an oath —

- (a) is a Hindu or Muslim or of some other religion according to which oaths are not of binding force; or
- (b) has a conscientious objection to taking an oath,

he may, instead of taking an oath, make an affirmation.

### **Caution in lieu of oath or affirmation**

6. Where a person required by section 4 or any other written law to take an oath ought not, in the opinion of the court or person acting judicially, to take an oath or make an affirmation by reason of immaturity of age, he may, instead of taking an oath or making an affirmation, be cautioned by the court or person acting judicially to state the truth, the whole truth, and nothing but the truth.

### **Form of oath and affirmation**

7. An oath under section 4 shall be taken and administered, and an affirmation under section 5 shall be made and administered, in accordance with the form and manner prescribed by the Rules of Court (Cap. 322, R 5) or any other written law.

### **Proceedings and evidence not invalidated by omission of oath, etc.**

**8.** No omission to take an oath, make an affirmation or administer a caution, and no irregularity in the form or manner in which an oath is taken, an affirmation is made or a caution is administered, shall —

- (a) invalidate any proceedings or render inadmissible any evidence in or in respect of which the omission or irregularity took place; or
- (b) affect any obligation of the person taking the oath or making the affirmation or being cautioned to state the truth.

## **PART III**

### **STATUTORY DECLARATIONS**

#### **Persons may make statutory declarations**

**9.** Any person may voluntarily make a statutory declaration in the manner provided in section 11 or 12 in relation to any matter.

#### **Where law requires or authorises persons to make statutory declarations**

**10.** Where by any written law (whether made before, on or after the commencement of this Act) any person is authorised or required to make a statutory declaration, that statutory declaration shall be made in the manner provided in section 11 or 12, as the case may be.

#### **Manner of making statutory declarations in Singapore**

**11.—(1)** A statutory declaration made in Singapore —

- (a) shall be in the form set out in the First Schedule; and
- (b) shall be made before a court, a person acting judicially, or a prescribed person.

(2) Subsection (1) is without prejudice to the provisions of any other written law conferring on any other person the power to take or receive a statutory declaration.

#### **Statutory declarations made outside Singapore**

**12.—(1)** A statutory declaration made in the United Kingdom or any part of the Commonwealth other than Singapore shall be made before a notary public or justice of the peace of that country, or other person having authority under any law for the time being in force in that country to take or receive a declaration.