

Zambia

Commissioners for Oaths Act, 1938 Chapter 33

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Zambia

Commissioners for Oaths Act, 1938

Chapter 33

Commenced on 6 January 1939

[This is the version of this document at 31 December 1996.]

[44 of 1938; 51 of 1951; 13 of 1994; Government Notices; 303 of 1964; 497 of 1964]

An Act to make provision for the appointment of Commissioners for Oaths

1. Short title

This Act may be cited as the Commissioners for Oaths Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"Deputy Registrar" means a Deputy Registrar of the High Court;

"Registrar" means the Registrar of the High Court.

3. Appointment of Commissioners for Oaths

(1) The Registrar, every Deputy Registrar and every magistrate shall be *ex officio* a Commissioner for Oaths.

(2) The Chief Justice may, from time to time, by *Gazette* notice, appoint other persons to be Commissioners for Oaths, and may in the same manner revoke any such appointment.

[As amended by No. 51 of 1951 and G.N. No. 303 of 1964]

4. Annual publication of list of Commissioners for Oaths

The Registrar shall, as near as may be after the 1st April in every year, prepare a list of all Commissioners for Oaths appointed under subsection (2) of the preceding section and cause the same to be published in the *Gazette*.

5. Powers of Commissioners

A Commissioner for Oaths may administer any oath or take any affidavit or declaration for the purposes of any court or matter in Zambia, including any matter required to be sworn, declared or attested under any law relating to the registration of instruments or documents or under any law relating to passports:

Provided that a Commissioner for Oaths shall not exercise any of the powers given to him by this section in any proceeding in which he is solicitor to any of the parties to the proceeding, or clerk to any such solicitor, or in which he is interested.

[No. 51 of 1951]

6. Particulars to be stated in jurat or attestation clause

Every Commissioner for Oaths before whom any oath or affidavit is taken or made under this Act shall state truly in the jurat or attestation at what place and on what date the oath or affidavit is taken or made.

7. Offences and penalties

Any person who, not being a Commissioner for Oaths, appointed by or under this Act, shall hold himself out as a Commissioner for Oaths for the purposes of this Act, shall be guilty of an offence and shall be liable to a fine not exceeding one thousand five hundred penalty units or, in default of payment, to imprisonment for a period not exceeding six months, or to both.

[As amended by Act [No. 13 of 1994](#)]