

---

WESTERN AUSTRALIA

ANNO OCTAVO DECIMO

VICTORIÆ REGINÆ

No. 12

An Ordinance for the Abolition of unnecessary Oaths,  
and to substitute Declarations in lieu thereof.

[Assented to 18th April, 1855.]

WHEREAS a practice has prevailed of administering and receiving oaths and affidavits voluntarily taken and made in matters not the subject of any judicial inquiry, nor in anywise pending or at issue before the Justice of the Peace or other person by whom such oaths or affidavits have been administered or received; and whereas doubts have arisen whether or not such proceeding is illegal for the more effectual abolition of such practice and removing such doubts: Be it enacted by the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof:—

Preamble

5 & 6 Wil. IV.,  
cap. 62

---

*Evidence*

---

Voluntary  
affidavits pro-  
hibited

1. That from and after the commencement of this Ordinance it shall not be lawful for any Justice of the Peace or other person to administer, or cause to be administered, or to receive or cause or allow to be received, any oath or affidavit touching any matter or thing whereof such Justice or other person hath not jurisdiction or cognizance by some Statute, Ordinance or law in force at the time being : Provided always that nothing herein contained shall be construed to extend to any oath or affidavit before any Justice or other person, touching any proceedings before the Civil Court, or to any oath or affidavit authorised or required by any Ordinance, nor to any oath or affidavit required by the laws of any British possession or foreign country, to give validity to instruments, in writing, designed to be used in British possessions or foreign countries respectively.

Declaration be-  
fore Notaries and  
Justices substi-  
tuted

2. That it shall and may be lawful for any Justice of the Peace, Notary Public, or other officer now by law authorised to administer an oath, to take and receive the declaration of any person voluntarily making the same before him in the form in the Schedule to this Ordinance annexed ; and if any declaration so made shall be false and untrue in any material particular, the person wilfully making such false or untrue declaration shall be deemed guilty of a misdemeanour.

Misdemeanour  
if untrue

CHARLES FITZGERALD,  
GOVERNOR AND COMMANDER-IN-CHIEF.

---

SCHEDULE

---

I, A.B., do solemnly and sincerely declare, that [*here state the facts*] and I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provisions of an Ordinance made and passed in the eighteenth year of the reign of Her present Majesty, No. 12, intituled 'An Ordinance for the Abolition of unnecessary Oaths, and to substitute Declarations in lieu thereof.'

---