

CHAPTER 22

THE STATUTORY DECLARATIONS ACT.

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CHAPTER 22

THE STATUTORY DECLARATIONS ACT.

Commencement: 23 June, 2000.

An Act to provide for the making of statutory declarations and other related matters.

1. Interpretation.

In this Act, unless the context otherwise requires—

- (a) “commissioner for oaths” means a commissioner for oaths appointed under the Commissioners for Oaths (Advocates) Act;
- (b) “currency point” has the value specified in relation to it in the First Schedule to this Act;
- (c) “judge” means the Chief Justice, Deputy Chief Justice, a justice of the Supreme Court, a justice of the Court of Appeal, and a judge of the High Court, and includes an acting judge;
- (d) “justice of the peace” means a justice of the peace appointed under the Justices of the Peace Act;
- (e) “notary public” means the notary public licensed under the Notaries Public Act;
- (f) “registrar” means the registrar of the Supreme Court, Court of Appeal or the High Court.

2. Restriction on use of affidavits.

After the commencement of this Act, no affidavit shall be sworn for any purpose, except—

- (a) where it relates to any proceedings, application or other matter commenced in any court or referable to a court; or
- (b) where under any written law an affidavit is authorised to be sworn.

3. Use of statutory declarations.

(1) In every case to which section 2 does not apply, a person wishing to depone to any fact for any purpose may do so by means of a statutory declaration.

(2) Where any person has sworn to an affidavit for any purpose other than a purpose referred to in section 2, that affidavit shall, nevertheless, be taken for all purposes to be a statutory declaration.

4. Form of statutory declaration.

A statutory declaration shall be in the form specified in the Second Schedule to this Act.

5. Procedure for making statutory declarations.

(1) A judge, the registrar, a magistrate, or a justice of the peace, a notary public and any commissioner for oaths may take and receive the statutory declaration of any person voluntarily making it before him or her and shall certify it under his or her signature.

(2) For the avoidance of doubt, the officers referred to in section 15 of the Oaths Act may take a statutory declaration under this Act, in similar circumstances as the administration of an oath under that section; and any statutory declaration taken under this section shall have the same effect as an oath administered under that section.

(3) Section 7 shall apply to a statutory declaration taken under this section.

6. Taking statutory declarations outside Uganda.

(1) A person wishing to depone outside Uganda to any fact for any purpose in Uganda may make a statutory declaration before any person authorised to take a statutory declaration by the law of the country in which the declaration is made.

(2) Judicial and official notice shall be taken of the signature and seal of the person taking a statutory declaration under this section and affixed, impressed or subscribed to any statutory declaration referred to in subsection (1).

(3) A statutory declaration taken outside Uganda under this section shall not be admissible in evidence unless it is registered with the registrar of documents under the Registration of Documents Act.

7. Offences and penalties.

- (1) Any person who—
 - (a) makes a statutory declaration which he or she knows to be false in a material particular;
 - (b) recklessly makes a statutory declaration false in a material particular; or
 - (c) utters or presents as true a false statutory declaration knowing it to be false,

commits an offence and is liable on conviction to imprisonment not exceeding three years or a fine not exceeding one hundred currency points or both.

(2) For the avoidance of doubt, subsection (1) shall apply to all statutory declarations including any declaration provided for under any other law, notwithstanding any other penalty prescribed in that law.

8. Fees.

The fees payable on the making of a statutory declaration shall be the same as those payable on the taking of an affidavit.

9. Minister's power to amend First Schedule.

The Minister responsible for justice may, with the approval of Cabinet, amend the First Schedule to this Act.

10. Nonapplicability of U.K. Statutory Declarations Act.

The Statutory Declarations Act, 1835, of the Parliament of the United Kingdom shall cease to apply in Uganda.

SCHEDULES

First Schedule.

s. 1.

Currency point.

A currency point is equivalent to twenty thousand shillings.

Second Schedule.

s. 4.

Form of statutory declaration.

I, _____,
(full name and address)

solemnly and sincerely declare that _____

_____ and I make this solemn declaration conscientiously believing it to be true,
in accordance with the Statutory Declarations Act.

Dated this _____ day of _____, 20 ____.

Signature of declarant

Declared on this _____ day of _____, 20 ____, at _____

(state place)

Before me

Signature of person taking declaration
(Judge, Registrar, Magistrate, Justice of
the Peace, etc.)

History: Act 10/2000.

Cross References

Commissioners for Oaths (Advocates) Act, Cap. 5.

Justices of the Peace Act, Cap. 15.

Notaries Public Act, Cap. 18.

Oaths Act, Cap. 19.

Registration of Documents Act, Cap. 81.

Statutory Declarations Act, 1835, of the United Kingdom, 5 & 6 Will. IV.
