

STATUTORY DECLARATIONS ORDINANCE 1950.⁽¹⁾

No. 27 of 1950.

An Ordinance relating to Statutory Declarations.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the *Papua and New Guinea Act 1949*, as follows:—

1. This Ordinance may be cited as the *Statutory Declarations Ordinance 1950*.⁽¹⁾ Short title.
2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice⁽¹⁾ in the *Gazette*. Commencement.
3. In this Ordinance, unless the contrary intention appears— Definitions.
 - “Commissioner for Affidavits” means a person authorized under any law of the Territory to take affidavits;
 - “Commissioner for Declarations” means a person appointed under this Ordinance to be a Commissioner for Declarations;
 - “regulation” means a regulation made in pursuance of any Ordinance.
- 4.—(1) Any person may, if he so desires, make a statutory declaration in relation to any matter. Authority to make and use statutory declarations.
 - (2.) Subject to sub-section (3.) of this section, a statutory declaration may, unless the contrary intention appears in the Ordinance or regulation, be used for any purpose or in connexion with any matter arising under any Ordinance or regulation, or in connexion with the Administration of any Department.
 - (3.) Sub-section (2.) of this section shall not be taken to authorize a statutory declaration to be used as evidence in judicial proceedings, but nothing in this section shall be construed to prevent any statutory declaration from being so used.
5. Where in any Ordinance or regulation (whether made before or after the commencement of this Ordinance) a reference is made to a statutory declaration, the reference shall, unless the contrary intention appears in the Ordinance or regulation, include a reference to a statutory declaration made by virtue of this Ordinance. References to statutory declarations.

(1) Particulars of this Ordinance are as follows:—

Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Cwth. Gaz.</i>	Date on which took effect.
23. 11. 1950	30. 11. 1950	14. 12. 1950 (<i>Papua and N.G. Govt. Gaz.</i> of 21. 12. 1950)

PART A : STATUTORY DECLARATIONS—

Form of statutory declaration.

6. A statutory declaration may be in accordance with the form in the Schedule to this Ordinance, and may be made before—

- (a) a District Officer, an Assistant District Officer, a Stipendiary Magistrate, or a Justice of the Peace;
- (b) a Commissioner for Affidavits;
- (c) a Commissioner for Declarations; or
- (d) a Notary Public.

Commissioners for Declarations.

7. The Administrator may appoint persons to be Commissioners for Declarations who shall hold office during his pleasure.

Declarations under Ordinances, &c.

8. Where in any Ordinance or regulation (whether made before or after the commencement of this Ordinance), any declaration is required to be made by any person before some other person, the declaration may, unless the contrary intention appears in the Ordinance or regulation, be made before the person mentioned in the Ordinance or regulation or before a person before whom a statutory declaration may be made under this Ordinance.

Penalty for false declaration.

9. Any person who wilfully makes any false statement in a statutory declaration shall be guilty of an indictable offence.

Penalty: Imprisonment for four years.

THE SCHEDULE.

STATUTORY DECLARATION.

I, (a) , do solemnly and sincerely declare (b)

And I make this solemn declaration by virtue of the *Statutory Declarations Ordinance* 1950 conscientiously believing the statements contained therein to be true in every particular.

Declared at _____ the _____ day of _____ 19 _____
 (c) Before me,
 (d)
 (e)

- (a) Here insert name, address and occupation of person making the declaration.
- (b) Here insert the matter declared to. Where the matter is long it should be set out in numbered paragraphs.
- (c) Signature of person making the declaration.
- (d) Signature of person before whom the declaration is made.
- (e) Here insert title of person before whom the declaration is made.

NOTE.—Any person who wilfully makes a false statement in a statutory declaration is guilty of an indictable offence, and is liable to imprisonment, with or without hard labour, for four years.