

REGISTRAR'S CIRCULAR NO.1

The Registry, Supreme Court,  
Malayan Union.  
Kuala Lumpur, 3rd June, 1946.

Circular to Assistant Registrars,  
Kuala Lumpur, Ipoh, Seremban  
and Raub.

AFFIDAVITS AND STATUTORY DECLARATIONS<sup>(1)</sup>

The taking of affidavits and statutory declarations is an important part of the duty of Registrars in their capacity as Magistrates and, as I have frequently found a lack of uniformity in the carrying out of such duties, I have thought it well to set out the following details for your guidance.

It is desirable that you ensure that the appropriate duty or Court fee has been paid before your services are enlisted.

You will bear in mind that deponents may either affirm or swear and you should ascertain which form of deposition they intend to adopt.

The deponent should sign the affidavit in your presence. You should then ask him to repeat the following words, pointing to his signature "I solemnly sincerely and truly declare and affirm" or, if he wishes to swear "I swear by Almighty God, that this is my name and handwriting and that the contents of this, my affidavit, are true." You should then complete the jurat which should read - "Affirmed (or sworn) before me at ..... this ....day of .....194."<sup>(2)</sup> and see that your identity either as Assistant Registrar or Magistrate is added together with your seal. Affidavits deposed to before you may be required for use in Courts in other countries and, unless they are meticulously completed, they may not be accepted, thus causing serious inconvenience to those who intend to rely on them.

In regard to statutory declarations the procedure is similar, save that the person making the declaration should, after signature, say "I solemnly sincerely and truly declare and affirm that this is my name and handwriting and that the contents of this, my declaration, are true, and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Enactment - Cap 20<sup>(3)</sup> or, if a statutory declaration for use in England - "by virtue of the Statutory Declarations Act, 1835."

Murray M. Jack  
Registrar.

(RSC 111/1946)

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