

Oaths, Declarations and Identity Documents

We are very happy to try to assist in having oaths sworn, statutory declarations declared and on occasions will assist with certifying documents. Here are some guidelines to help you understand what we can and cannot do.

Oaths and Affidavits

An oath or affidavit is a document which needs to be sworn before a solicitor or commissioner for oaths. The document has to be sworn whilst holding a bible or other holy book or affirming. It is usually for documents which are going to be used in court including probate oaths. By swearing an oath or affidavit you will be confirming the truth of the document as if on oath in court. Swearing something on oath which is untrue could leave you open to a charge of perjury which could lead to a fine or imprisonment.

Usually we will have someone here at short notice who can help you to swear the affidavit and the charge has been fixed since 1993 at £5 for each person who needs to be sworn to the affidavit and £2 for any exhibit. It will really help if you ensure that you have the document ready when you see the solicitor.

Statutory Declarations

These are similar to affidavits and are usually used for property matters or other times when evidence under oath is needed outside of court. They are declared as opposed to sworn and a bible or other holy book will not be used. The charges are the same as affidavits.

Certified Copies of Documents

Sometimes certified copies of documents are needed for organisations who want a copy of the original which has been verified as a true copy of the original without seeing the original. We can certify some documents but not all. We cannot certify certificates of births, deaths or marriage as certified copies are only available from a Registry Office.

We will also need to be sure that the original is the original document. We cannot, for example, certify documents downloaded from the internet as true copies of the original as there is no way that we can tell that they are originals. Similarly, unless we can identify educational certificates as originals from a genuine educational establishment we will be unable to certify those.

The charge is generally £10 per document certified.

Witnessing Documents

There is no benefit to having a document witnessed by a solicitor. We will not generally witness a document for someone who is not a client with an active matter. Often institutions will require a document witnessed by a solicitor to ensure certain advice is given on the document. We may assist but this cannot be dealt with on an ad hoc basis. We will need to record you as a client and keep the file for 6 years. For this reason you will need to speak with one of our solicitors who can give you an estimate of costs. This includes Land Registry ID1s.

Notarising

Sometimes documents, mainly international documents need to be notarised. In these circumstances we can introduce you to a Notary Public who will talk to you about the requirements.