



THE STATUTES OF THE REPUBLIC OF SINGAPORE

**OATHS AND DECLARATIONS
ACT 2000**

2020 REVISED EDITION

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Oaths and Declarations Act 2000

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An Act to amend and consolidate the law relating to oaths and statutory declarations.

[1 January 2001]

PART 1

PRELIMINARY

Short title

1. This Act is the Oaths and Declarations Act 2000.

Interpretation

2. In this Act, unless the context otherwise requires —
 “affirmation” means an affirmation mentioned in section 5;
 “caution” means a caution mentioned in section 6;
 “oath” means an oath administered or taken for any purpose,
 whether in judicial proceedings or otherwise;
 “person acting judicially” means a person, tribunal, commission,
 committee or other body having by law or consent of the
 parties power to receive evidence.

[43/2007]

PART 2

OATHS

Power to administer oaths, etc.

3.—(1) A court or person acting judicially may administer, or may empower an officer to administer, any oath, affirmation or caution.

(2) Subsection (1) does not affect any other written law conferring on any person the power to administer any oath, affirmation or caution.

Oaths to be taken by witnesses and interpreters

4.—(1) Without affecting any other written law, oaths must be taken by the following persons:

- (a) a person who may be lawfully examined, or who may give or be required to give evidence, by or before a court or person acting judicially;
- (b) an interpreter of questions put to, and of evidence given by, a person mentioned in paragraph (a).

(2) Subsection (1) does not apply to —

- (a) the official interpreter of a court; or
- (b) a certificated interpreter in the public service,

when performing his or her duties as such interpreter, if he or she has taken an oath to faithfully discharge those duties.

Affirmation in lieu of oath

5. Where a person required by section 4 or any other written law to take an oath —

- (a) is a Hindu or Muslim or of some other religion according to which oaths are not of binding force; or
- (b) has a conscientious objection to taking an oath,

the person may, instead of taking an oath, make an affirmation.

Caution in lieu of oath or affirmation

6. Where a person required by section 4 or any other written law to take an oath ought not, in the opinion of the court or person acting judicially, to take an oath or make an affirmation by reason of immaturity of age, the person may, instead of taking an oath or making an affirmation, be cautioned by the court or person acting judicially to state the truth, the whole truth, and nothing but the truth.

Form of oath and affirmation

7. An oath under section 4 must be taken and administered, and an affirmation under section 5 must be made and administered, in accordance with the form and manner prescribed by the Rules of Court or any other written law.

Proceedings and evidence not invalidated by omission of oath, etc.

8. No omission to take an oath, make an affirmation or administer a caution, and no irregularity in the form or manner in which an oath is taken, an affirmation is made or a caution is administered, may —

- (a) invalidate any proceedings or render inadmissible any evidence in or in respect of which the omission or irregularity took place; or
- (b) affect any obligation of the person taking the oath or making the affirmation or being cautioned to state the truth.

PART 3

STATUTORY DECLARATIONS

Persons may make statutory declarations

9. Any person may voluntarily make a statutory declaration in the manner provided in section 11 or 12 in relation to any matter.

Where law requires or authorises persons to make statutory declarations

10. Where by any written law (whether made before, on or after 1 January 2001) any person is authorised or required to make a statutory declaration, that statutory declaration must be made in the manner provided in section 11 or 12, as the case may be.

Manner of making statutory declarations in Singapore

11.—(1) A statutory declaration made in Singapore —

- (a) must be in the form set out in the First Schedule; and
- (b) must be made before a court, a person acting judicially, or a prescribed person.

(2) Subsection (1) does not affect any other written law conferring on any other person the power to take or receive a statutory declaration.

Statutory declarations made outside Singapore

12.—(1) A statutory declaration made in the United Kingdom or any part of the Commonwealth other than Singapore must be made before a notary public or justice of the peace of that country, or other person having authority under any law for the time being in force in that country to take or receive a declaration.

(2) A statutory declaration made in any place that is not part of the Commonwealth must be made before a consul or vice consul or before any person having authority under any law for the time being in force in that place to take or receive a declaration.

Statutory declaration sufficient to prove execution of will, etc.

13. An attesting witness to the execution of a will, deed or document, or any other competent person, may verify and prove the signing, sealing, publication or delivery of the will, deed or document by a statutory declaration made in the manner provided under section 11 or 12, as the case may be.

Making of false statutory declaration an offence

14.—(1) Any person who —

- (a) makes in a statutory declaration a statement which is false, and which the person knows or has reason to believe is false or does not believe to be true, touching any point material to the object for which the declaration is made or used; or
- (b) corruptly uses or attempts to use as true any statutory declaration made in or outside Singapore knowing the declaration to be false in any material point,

shall be guilty of an offence and —

- (c) if the person made the statutory declaration for use in any stage of a judicial proceeding or (as the case may be) used or attempted to use the statutory declaration in any stage of a judicial proceeding, shall be punished with imprisonment for a term which may extend to 7 years and shall also be liable to a fine; or
- (d) in any other case, shall be punished with imprisonment which may extend to 3 years and shall also be liable to a fine.

(2) Without limiting subsection (1)(c) —

- (a) a trial before a subordinate military court within the meaning of the Singapore Armed Forces Act 1972 is a judicial proceeding; and
- (b) each of the following is treated as a stage of a judicial proceeding:
 - (i) an investigation directed by law that is preliminary to a proceeding before a court, whether the investigation takes place before a court or otherwise;
 - (ii) an investigation directed by a court, and conducted under the authority of a court, whether the investigation takes place before a court or otherwise.

(3) Subsection (1)(a) applies to the making of a statutory declaration outside Singapore if the person knows or has reason to believe that the statutory declaration is intended to be used in Singapore; and the person may be dealt with as if the offence had been committed in Singapore.

(4) No prosecution may be instituted under this section without the written consent of the Public Prosecutor.

[15/2010]

PART 4

OATHS OF OFFICE AND ALLEGIANCE

Manner of taking oath of office, etc.

15.—(1) The oath of allegiance mentioned in Part 1 of the Second Schedule, and the oath of office mentioned in Part 2 of that Schedule, must be tendered to and taken by all persons required under any written law to take an oath of office.

(2) The oath of allegiance mentioned in Part 1 of the Second Schedule, and the judicial oath mentioned in Part 3 of that Schedule, must be tendered to and taken by all persons required under any written law to take a judicial oath.

(3) This section does not affect any other written law which prescribes the form and manner in which an oath of office or a judicial oath (as the case may be) may be tendered and taken.

Circumstances under which affirmation may be made

16. Any person who —

- (a) is a Hindu or Muslim or of some other religion according to which oaths are not of binding force; or

(b) has a conscientious objection to taking an oath, and who is required to take an oath of office or judicial oath under any written law may, instead of taking the oaths mentioned in section 15(1) or (2) (as the case may be), make an affirmation in the form of those oaths, substituting the words “solemnly, sincerely and truly declare and affirm” for the word “swear” and omitting the words “So help me God”.

PART 5

GENERAL PROVISIONS

Regulations

17. The Minister may make regulations to prescribe anything that is required or authorised to be prescribed under this Act, and generally for carrying out the provisions of this Act.

Power to amend Schedules

18. The Minister may, by notification in the *Gazette*, amend any Schedule.

Saving provision

19. Every —

- (a) oath taken, affirmation made or caution administered under the repealed Oaths Act (Cap. 211, 1985 Revised Edition);
- (b) oath taken under the repealed Oaths of Office and Allegiance Act (Cap. 212, 1985 Revised Edition); and
- (c) statutory declaration made under the repealed Statutory Declarations Act (Cap. 320, 1985 Revised Edition),

continues and has effect as if it had been taken, made or administered (as the case may be) under the provisions of this Act.

FIRST SCHEDULE

Sections 11(1) and 18

STATUTORY DECLARATION

I⁽¹⁾, _____, do solemnly and sincerely
declare⁽²⁾

And I make this solemn declaration by virtue of the provisions of the Oaths and Declarations Act 2000, and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

(3)

Declared at _____ this _____ day of _____ .

Before me,

(4)

(5)

- (1) Here insert name, address and occupation of person making the declaration.
- (2) Here insert matter declared to. Where the matter is long, add the words “as follows:” and then set out the matter in numbered paragraphs.
- (3) Signature of person making the declaration.
- (4) Signature of person before whom the declaration is made.
- (5) Here insert title of person before whom the declaration is made.

SECOND SCHEDULE

Sections 15(1) and (2) and 18

PART 1

FORM OF OATH OF ALLEGIANCE

“I, _____, do swear that I will be faithful and bear true allegiance to the Republic of Singapore according to law. So help me God.”

PART 2

FORM OF OATH OF OFFICE

“I, _____, do swear that I will well and truly serve the Republic of Singapore in the office of _____ . So help me God.”

PART 3

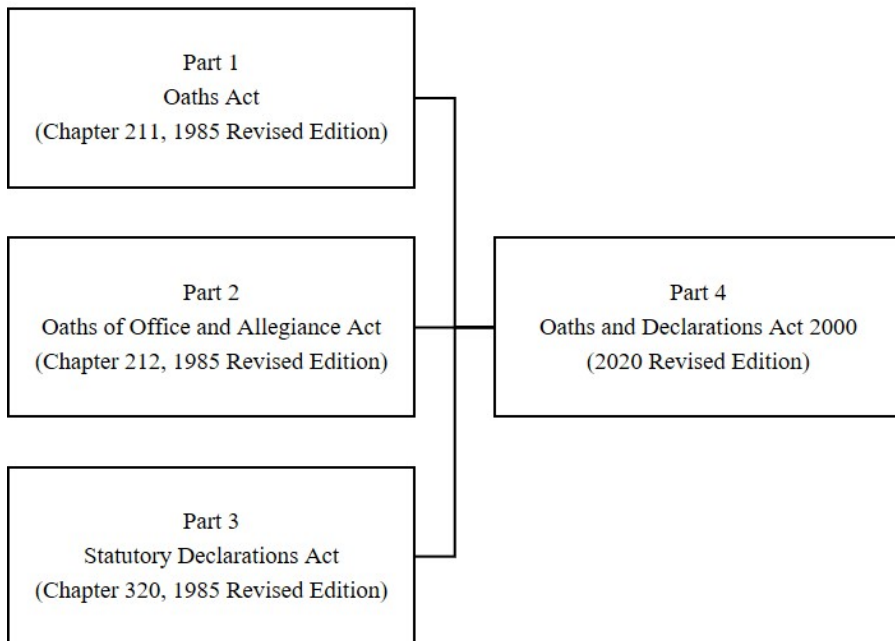
FORM OF JUDICIAL OATH

“I, _____, do swear that I will well and truly serve the Republic of Singapore in the office of _____ and I will do right to all manner of people after the laws and usages of Singapore without fear or favour, affection or ill-will. So help me God.”

LEGISLATIVE HISTORY
OATHS AND DECLARATIONS
ACT 2000

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1
OATHS ACT
(CHAPTER 211, 1985 REVISED EDITION)

1. Ordinance V of 1890 — The Oaths Ordinance 1890

Bill	:	G.N. No. 476/1889
First Reading	:	31 October 1889
Second Reading	:	12 December 1889
Notice of Amendments	:	13 March 1890
Third Reading	:	20 March 1890
Commencement	:	20 March 1890

Note: This Ordinance repealed An Act concerning the Oaths and Declarations of Hindoos and Mahometans (Indian Act V of 1840) and An Act to declare the meaning and extent of certain words in Act V of 1840 (Indian Act II of 1847).

2. Ordinance XIX of 1901 — The Oaths Ordinance 1890 Amendment Ordinance 1901

Bill	:	G.N. No. 1211/1901
First Reading	:	1 October 1901
Second Reading	:	8 October 1901
Third Reading	:	5 November 1901
Commencement	:	5 November 1901

3. 1920 Revised Edition — Ordinance No. 48 (Oaths)

Operation	:	28 November 1921
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4. 1926 Revised Edition — Ordinance No. 48 (Oaths)

Operation	:	1 August 1926
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5. Ordinance 62 of 1935 — Oaths (Amendment) Ordinance, 1935

Bill	:	G.N. No. 2898/1935
First Reading	:	20 November 1935
Second Reading	:	9 December 1935
Notice of Amendments	:	9 December 1935
Third Reading	:	9 December 1935
Commencement	:	19 December 1935

6. 1936 Revised Edition — Oaths Ordinance (Chapter 15)

Operation	:	1 September 1936
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7. Ordinance 37 of 1952 — Law Revision (Penalties Amendment) Ordinance, 1952

(Amendments made by section 2 read with item 1 of the Schedule to the above Ordinance)

Bill	:	32/1952
First Reading	:	16 September 1952
Second and Third Readings	:	14 October 1952

Commencement : 30 April 1955 (section 2 read with item 1 of the Schedule)

8. 1955 Revised Edition — Oaths Ordinance (Chapter 8)

Operation : 1 July 1956

9. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order, 1959

Commencement : 3 June 1959

10. L.N. 450/1964 (G.N. Sp. No. S 227/1964) — Modification of Laws (Oaths, Affirmations and Statutory Declarations) (Borneo States and Singapore) Order, 1964

Commencement : 17 December 1964

11. 1970 Revised Edition — Oaths Act (Chapter 12)

Operation : 1 March 1971

12. 1985 Revised Edition — Oaths Act (Chapter 211)

Operation : 30 March 1987

PART 2

OATHS OF OFFICE AND ALLEGIANCE ACT
(CHAPTER 212, 1985 REVISED EDITION)

13. Ordinance XI of 1869 — Promissory Oaths Ordinance, 1869

Bill : S.S.G.G. No. 32 of 1869

First Reading : 22 July 1869

Second Reading : 7 September 1869

Third Reading : 14 September 1869

Commencement : 14 September 1869 (passed)

14. 1920 Revised Edition — Ordinance No. 13 (Promissory Oaths)

Operation : 28 November 1921

15. 1926 Revised Edition — Ordinance No. 13 (Promissory Oaths)

Operation : 1 August 1926

16. 1936 Revised Edition — Promissory Oaths Ordinance (Chapter 77)

Operation : 1 September 1936

17. 1955 Revised Edition — Promissory Oaths Ordinance (Chapter 58)

Operation : 1 July 1956

18. G.N. No. S 223/1959 — Singapore Constitution (Modification of Laws) Order, 1959

Commencement : 3 June 1959

19. Ordinance 43 of 1959 — Promissory Oaths (Amendment) Ordinance, 1959

Bill : Information not available

First, Second and Third Readings : 16 July 1959

Commencement : 24 July 1959

20. 1970 Revised Edition — Promissory Oaths Act (Chapter 56)

Operation : 1 April 1971

21. 1985 Revised Edition — Oaths of Office and Allegiance Act (Chapter 212)

Operation : 30 March 1987

Note: The Promissory Oaths Act was renamed as the Oaths of Office and Allegiance Act in the 1985 Revised Edition.

PART 3

STATUTORY DECLARATIONS ACT
(CHAPTER 320, 1985 REVISED EDITION)

22. Ordinance XIV of 1885 — The Statutory Declarations Ordinance 1885

Bill : G.N. No. 334/1885

First Reading : 9 June 1885

Second Reading : 10 August 1885

Third Reading : 21 August 1885

Commencement : 21 August 1885

23. 1920 Revised Edition — Ordinance No. 32 (Statutory Declarations)

Operation : 28 November 1921

24. 1926 Revised Edition — Ordinance No. 32 (Statutory Declarations)

Operation : 1 August 1926

25. 1936 Revised Edition — Statutory Declarations Ordinance (Chapter 18)

Operation : 1 September 1936

26. 1955 Revised Edition — Statutory Declarations Ordinance (Chapter 9)

Operation : 1 July 1956

27. 1970 Revised Edition — Statutory Declarations Act (Chapter 13)

Operation : 1 March 1971

28. 1985 Revised Edition — Statutory Declarations Act (Chapter 320)

Operation : 30 March 1987

PART 4

OATHS AND DECLARATIONS ACT 2000
(2020 REVISED EDITION)**29. Act 38 of 2000 — Oaths and Declarations Act 2000**

Bill : 24/2000

First Reading : 9 October 2000

Second and Third Readings : 13 November 2000

Commencement : 1 January 2001

30. 2001 Revised Edition — Oaths and Declarations Act (Chapter 211)

Operation : 31 December 2001

31. Act 43 of 2007 — Inquiries Act 2007

(Amendments made by section 19 read with item (1) of the Second Schedule to the above Act)

Bill : 31/2007

First Reading : 27 August 2007

Second and Third Readings : 19 September 2007

Commencement : 1 November 2007 (section 19 read with item (1) of the Second Schedule)

32. Act 15 of 2010 — Criminal Procedure Code 2010

(Amendments made by section 430 read with item 68 of the Sixth Schedule to the above Act)

Bill : 11/2010

First Reading : 26 April 2010

Second Reading : 18 May 2010

Third Reading	:	19 May 2010
Commencement	:	2 January 2011 (section 430 read with item 68 of the Sixth Schedule)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number