

# Discussion paper on oaths and affirmations

## New South Wales Law Reform Commission - Report on Oaths and Affirmation



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### Discussion: Affirmations

A final difficulty which arises relates to the improbable spectacle of persons desiring to be sworn in a manner which is neither contrary to the common law nor impracticable, but which is either so ludicrous in the eyes of ordinary people as to bring the whole procedure into disrepute, or which is so scandalous as to stretch the bounds of freedom of worship. In Chinese law, the special significance of giving testimony is drawn to the witness's attention by utilizing the same method which is used in private law to emphasize the binding force of an agreement — the written form. However, if more are sworn it appears that the subsequent proceedings will be valid, the jury consisting of the first twelve sworn.

### Sample Notary Public Statements

A notarial officer who takes a verification of a statement on oath or affirmation shall determine, from personal knowledge or satisfactory evidence of the identity of the individual, all of the following: 1 The individual appearing before the notarial officer and making the verification has the identity claimed.

### Report on Oaths and Affirmation

Only one party, then, may swear to any one issue.

### How to Administer an Oath or Affirmation

These proposals for reform are considered in more detail in the following part. .

### Sample Notary Public Statements

The distinction submitted above, if correct, would mean that the defence of necessity survives in the Act of 1787 in its original form, rather than disappearing entirely in the form of the repealed 1810 substitution.

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