
O A T H S (A M E N D M E N T) O R D I N A N C E 2 0 1 4

An Ordinance to amend the Oaths Ordinance

R.J. CRIPWELL
ADMINISTRATOR

27 November 2014

Be it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

Short title

1. This Ordinance may be cited as the Oaths (Amendment) Ordinance 2014.

Commencement

2. This Ordinance comes into force on the 8 December 2014.

Amendment of the Oaths Ordinance

3. The Oaths Ordinance^(a) is amended in accordance with sections 4 to 7.

Section 2 amended (Interpretation)

- 4.—(1) Section 2 is amended in accordance with subsections (2) and (3).
(2) At the appropriate place in section 2, insert—

(a) Cap 18, Statute Laws of Cyprus revised edition 1959, as applied in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (S.I. 1960/1369, United Kingdom). Schedule 2 to the Interpretation Ordinance 2012 (Ordinance 8/2012) provides for the interpretation of such legislation.

““2007 Ordinance” means the Courts (Constitution and Jurisdiction) Ordinance 2007(a);”;
““court of the Areas” means the Senior Judges’ Court or the Resident Judge’s Court (within the meaning of the 2007 Ordinance);”.

(3) Repeal the definition of “Registrar” and substitute the following—

““Registrar” means—

- (a) the person who is the Senior Registrar for the purposes of section 17 of the 2007 Ordinance;
- (b) the person who is the Registrar for the purposes of section 18 of the 2007 Ordinance;”.

Section 3 repealed and substituted (Administration of oaths in certain cases)

5. Section 3 is repealed and the following section substituted—

“3.—(1) An oath, affirmation, affidavit, declaration or instrument may be taken, made or executed (whichever is applicable) before—

- (a) any judge competent to exercise any functions of a court of the Areas;
- (b) a Registrar or, where authorised in writing by a Registrar, any other person employed to carry out any activities for a court of the Areas.

(2) Subsection (1) includes an oath, affirmation, affidavit, declaration or instrument that is to be taken, made or executed for any purpose, including a purpose outside the Areas.

(3) Under subsection (1)(b), a person may be authorised generally or in relation to a particular case or category of oaths, affirmations, affidavits, declarations or instruments.

(4) Except where a requirement is imposed by a provision in this Ordinance, the power in subsection (1) is not limited by any enactment, whenever enacted.”.

Section 4 amended (Administration of oaths required under any Act of the United Kingdom relating to British nationality or citizenship)

6. In section 4(b), before the first time that “affirmation” appears in that section, insert “oath,”.

Schedule 2 amended (Regulations)

7. Paragraph 2 of Schedule 2 is repealed and the following paragraph substituted—

“2. Every document or instrument to be sworn must state the full name and address of the person making it and, where the person makes the document or instrument as an expert or in a professional or official capacity, the document or instrument must also include the person’s trade, profession or details of the official capacity in which the document is made.”.

(a) Ordinance 5/2007 which has been amended (amendments not relevant to this Ordinance).
(b) Section 4 was inserted by Ordinance 12 of 1982.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Oaths (Amendment) Ordinance 2014 (the “Ordinance”). It has been prepared by the Office of the Attorney-General and Legal Adviser in order to assist the reader of the Ordinance. This note should be read in conjunction with the Ordinance.
2. The Ordinance amends section 3 of the Oaths Ordinance (Cap. 18) (the “principal Ordinance”). It enables a court registrar to authorise other court staff to administer oaths, etc. and for affidavits, declarations and instruments to be made or executed before any member of staff so authorised.
3. Section 3(3) ensures that other legislation (whenever enacted) does not affect the power in subsection (1). For example, rule 7, Order 39 of the Civil Procedure Rules states that affidavits may be sworn before a judge or a court registrar. Section 3 of the principal Ordinance, as inserted by this Ordinance, means that affidavits may also be sworn before any member of the court staff subject to them being authorised by a court registrar.
3. The Ordinance also updates some of the definitions in the principal Ordinance that are relevant to the amendments made, makes a minor amendment to section 4 and amends paragraph 2 of Schedule 2 to reflect current court practice on the requirements for affidavits.

SBA/AG/2/CT/633

Published by the Sovereign Base Areas Administration
The Sovereign Base Areas Gazette may be viewed on the official Sovereign Base Area Administration
web site: <http://sbaadministration.org/>