



FACTSHEET

Swearing/Affirming a Document

Some documents need to be sworn on oath, such as affidavits.

When you **swear** a document you will be asked to sign it in your usual signature and then take the Bible in your right hand and repeat some words to the effect that the contents of the document are true. If you are not of the Christian faith you can "**affirm**" instead of swearing on the Bible. You should tell the person who is administering the oath if you wish to "affirm" as they will not always ask.

A solicitor who has prepared a document which needs swearing cannot administer the oath. This has to be done by someone independent such as:-

- Another Solicitor
- A Commissioner for Oaths
- A Court Official who is authorised to administer Oaths.

N.B. An exception to this rule is where the solicitor who has prepared the document is also a Notary. Such a solicitor may administer an Oath in his capacity as Notary on a document he has prepared.

A Solicitor or Commissioner for Oaths will make a charge of £5 per document plus £2 for each exhibit and will want to be paid there and then. If you are legally aided you may be granted assistance with the oath fee. Alternatively you can swear your affidavit at your local County Court. The Court Office is usually open from 10am-4pm, Monday to Friday. They may make a small charge and can only provide the service for documents up to County Court level, unless they are also a High Court Registry.

We are more than happy to assist you with the arrangements for swearing a document and if you are in any way unsure about the procedure, or have difficulties in getting around, please let us know.

IMPORTANT NOTES

Swearing or affirming a document is a serious matter. You are stating that the entire contents of the document are true. If it is later discovered that you have made a false statement you could be held in contempt of court and sent to prison. Therefore, before swearing a document, you should read it carefully and draw to your solicitor's attention anything which needs altering.

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