

THE ATTESTATION OF INSTRUMENTS  
(FACILITIES) ACT

Cap. 24.  
Law  
24 of 1957.  
Act  
15 of 2002  
Sch.,  
22 of 2011.

Section 2 [7th July, 1949.]

Section 3 [15th August, 1957.]

1. This Act may be cited as the Attestation of Instruments (Facilities) Act. Short title.

2. Notwithstanding the definition of “a Justice” or “a Justice of the Peace” contained in the provisions of section 3 of the Interpretation Act, or anything contained in the provisions of any other enactment of this Island to the contrary, it shall be lawful for any Justice of the Peace or other person by law authorized to administer oaths, affidavits, declarations or affirmations, to administer, take and receive the oath, affidavit, declaration or solemn affirmation of any person touching any deed, instrument, writing, matter or thing required to be sworn to, declared to, affirmed or attested under the provisions of any enactment, regulations or instrument whatsoever, at any place in the Island, whether or not the subject matter of the said deed, instrument, writing, matter or thing requiring the cognizance of a Justice or person authorized as aforesaid arises within the parish for which such Justice is appointed or other person by law authorized is for the time being. Justices and others by law authorized may administer oath, etc., in any part of the Island.

3.—(1) Subject to the provisions of subsection (2), every specified official shall, so long as he is a specified official, have the same authority as a Justice of the Peace to administer, take and receive the oath, affidavit, declaration or affirmation of any person concerning any deed, instrument, right, matter or thing required to be sworn to, declared to, affirmed or attested under the provisions of any Act and to give certificates required to be given under the provisions of any Act. Specified officials to have authority to administer oaths, etc. 22/2011 S. 2.

(2) Nothing in subsection (1) shall authorize a specified official to administer, take or receive an oath, affidavit, declaration or affirmation or to give a certificate which a Justice of the Peace is authorized to administer, take, receive or give in the course of any criminal investigation or prosecution.

(3) In the exercise of the powers conferred upon him by subsection (1), a specified official shall be deemed to be a Justice of the Peace.

(4) In this section “specified official” means—

(a) a Member of the House of Representatives;

(b) a councillor of a Parish Council or the Kingston and St. Andrew Corporation; and

(c) a Mayor of a Municipality who is not a councillor.

4. Every oath, affidavit, declaration or other affirmation taken, administered or received by a Justice from any person in writing, in accordance with section 2, shall bear the official seal of that Justice.

Oath, etc.,  
administered  
by Justice to  
bear official  
seal.  
15/2002  
Sch.

5.—(1) The Minister may, subject to affirmative resolution, make regulations generally for giving effect to the provisions of this Act.

Regulations.  
22/2011  
S. 3.

(2) Regulations made under this section may provide for penalties, on summary conviction in a Resident Magistrate’s Court, in excess of the penalties specified in section 29(b) of the *Interpretation Act*.