

Formalities of Oaths, Declarations and Attestation of Documents

Terms of Reference

In 1972, the Committee was given a general reference to report on the law relating to the formality of oaths, declarations and the attestation of documents.

Background of Reference

In 1973, the Commission adopted the reference as an incomplete project from its predecessor. By this stage a great deal of research on the subject of attestation of documents by way of statutory declaration had been performed. The Commission later decided to divide the reference into two distinct parts with formalities of oaths and attestation other than by way of statutory declaration being the subject of Part II. Both parts were intended to address reform of the law with a view to the development of uniform provisions that could be adopted as a model for the Commonwealth and the states.

Reference withdrawn

Following delivery of the Commission's final report on Part I of the reference, the Standing Committee of Attorneys-General decided not to proceed with the recommendations made for uniform law. As it seemed unlikely that uniform legislation in this area could be agreed upon, Part II of the reference was subsequently withdrawn.²

¹ The Law Reform Committee of Western Australia was formally reconstituted as a Commission on 19 January 1973.
² Law Reform Commission of Western Australia, *Annual Report 1982–1983*, 13.