



SUPREME COURT
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CIRCULAR TO ALL COMMISSIONERS FOR OATHS AND CHAMBERS

7 October 2026

Circ. 8 of 2026

COMMISSIONERS FOR OATHS: ADMINISTRATION OF OATHS AND AFFIRMATIONS

Commissioners for Oaths are reminded of the importance of properly administering oaths and affirmations and of the responsibilities attaching to their appointment.

The function of a Commissioner is not merely to sign or stamp a document. Where an oath or affirmation is required, it must be administered to the deponent. A Commissioner must therefore not sign a jurat or attestation unless the relevant oath or affirmation has been personally administered. Familiarity with the deponent does not dispense with these requirements. The appropriate formality must be observed on every occasion.

Commissioners are also reminded of Circular 14 of 2018, which remains applicable. An oath or affirmation should ordinarily be administered at the address provided to the Supreme Court Registry. Where exceptional circumstances require it to be administered elsewhere, the alternative venue must be appropriate. In particular, the oath or affirmation should be administered in a private or suitably screened space and not in an open public area.

Commissioners are further reminded that section 6 of the Act requires the jurat or attestation to state truly the address at which, and the date on which, the oath or affidavit was taken or made.

The fees which may presently be charged are prescribed by the Commissioners for Oaths (Fees) Rules, 1994. The fee for taking an affidavit, declaration or affirmation is £8 for each person making the same, with an additional fee of £2 for each exhibit or schedule required to be marked. Commissioners are reminded that the fee paid must be clearly marked on the document, which must also be signed or initialled and dated by the Commissioner and show his or her full name and address.

If a Commissioner is in any doubt as to the proper procedure for administering an oath or affirmation, he or she should seek guidance from the Registrar before acting.

The proper administration of an oath or affirmation is a fundamental responsibility of the office. Failure to discharge the functions of the office properly may result in the Registrar considering the exercise of his power under section 2A(4) of the Act to revoke an appointment and may also be taken into account when considering any future application for reappointment. Where the Commissioner is also an Authorised Person regulated by the LSRA, any conduct giving rise to such concerns may also be referred to the Authority for its consideration.

Commissioners must ensure that their practices comply strictly with the above requirements.

For the avoidance of doubt, legal practitioners in Gibraltar are not Commissioners for Oaths merely by virtue of their admission or practice as legal practitioners. Unless a legal practitioner holds an office falling within section 2 of the Commissioners for Oaths and Public Notaries Act, he or she must have been separately appointed by the Registrar under section 2A before acting as a Commissioner for Oaths.

A handwritten signature in blue ink, appearing to read 'Karl Tonna', with a stylized flourish at the end.

Karl Tonna
Registrar