

MAKING A COMPLAINT AGAINST A LAWYER
under the Legal Profession Act

Answers to Frequently Asked Questions on Statutory Declarations

Q: What is a Statutory Declaration ('SD')?

A: A SD is a sworn or affirmed statement stating that the content of the complaint is true to the best of your knowledge. SDs are governed by the Oaths and Declaration Act (Chapter 211).

Q: What is the difference between swearing/taking an oath and affirming a SD?

A: You would swear or take an oath if you are a Christian and where you are a Hindu or a Muslim or are of another religion or you have a conscientious objection to taking an oath, you will instead make an affirmation.

Q: Why do I have to make a SD to lay a complaint?

A: In light of the new amendments to Section 85 of the Legal Profession Act, all complaints would have to be accompanied by a SD of the makers of the complaint.

Q: Where there is more than one complainant, do each of the complainant need to make a separate SD?

A: More than one complainant may sign on the SD form where their complaint is a joint complaint and where the facts of their complaint are the same. Where the facts of each persons' complaint is different and independent of the others, a separate SD should be done for each maker of the complaint.

Q: My company would like to lay a complaint against a lawyer and has authorized me to act on its behalf, do I need to make a SD?

A: You would need to make a SD stating that you are making the SD as the authorized representative of the company and the facts stated are true to the best of your knowledge.

Q: Where can I make a SD?

A: You may make an SD before a Commissioner for Oaths.

Q: I live overseas and would like to make a complaint, what do I do?

A: You would need to swear or affirm you statement before a notary public or justice of peace in your country.

Q: I am a foreigner and am not able to understand English, can I make a SD in a foreign language?

A: You may inform the Commissioner for Oaths beforehand that you are only able to converse in a certain language and the Commissioner for Oaths will arrange for an interpreter to be present to translate the SD into the language you are familiar with.

Q: How much does it costs to make a SD?

A: It costs \$20 to make a SD before a Commissioner for Oaths

Q: How much does it costs to notarize my document?

A: The cost of notarizing or taking an oath before a justice of peace will be in accordance with the rates charged in the country you are located at.

Q: How much does it costs to make a SD when I do not speak English?

A: The cost of the SD remains \$20 however you would need to pay the additional cost of the interpreter's service.