

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 contents of the complaint are true to the best of your knowledge. SDs are governed by the Oaths and Declaration Act 2000.
- 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 supported 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 person's complaint is different and independent of the others, a separate SD should be made 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 complaint?
A: You would need to make a SD stating that you are making the complaint as the authorised 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 a 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 your statement before a notary public or justice of peace in your country.
- Q: I 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 S\$25 to make a SD before a Commissioner for Oaths. *(wef: 25 August 2017)*
- Q: How much does it costs to notarise my document?
A: The costs of notarising or taking an oath before a justice of peace will be in accordance with the rates charged in the country you are located in.
- Q: How much does it cost to make a SD when I do not speak English?
A: The cost of the SD remains S\$25. However, you will need to pay additional cost for the interpreter's service. *(wef: 25 August 2017)*