



Depending on which you choose, your solicitor will then add the appropriate words of swearing or affirmation to the end of the document.

- **Your solicitor will arrange for you to visit a commissioner for oaths or a solicitor in a different firm.**

If the document is being posted to you, you should go to any local solicitor who can help you arrange the swearing.

## **WHAT THE COMMISSIONER OR SOLICITOR WILL DO:**

- **Check your identity.**  
The commissioner or the solicitor may know you or you may be introduced by someone who knows you.
- **Ask you whether you have read the document.**
- **Ask you whether you understand the document.**
- **Administer the oath or affirmation.**  
The commissioner or solicitor will ask you to say aloud the words that you swear or affirm to the truth of what the document says.

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# **SWEARING A DOCUMENT**



*Law Society of Ireland*

# SWEARING A DOCUMENT

## INTRODUCTION



Your solicitor has explained that you will be asked to swear a document as part of the business the solicitor is transacting for you. In the course of doing your legal business your solicitor may already have asked you to sign some documents as you go along. However, there are some documents which cannot just be signed, they must be sworn. These documents are particularly important documents. Everyone wants to be sure that you have taken time to think about the truth of what is in the document. You need to be sure that you are happy to swear that what it says is true. It is an offence to swear that something is true when it is not.

Swearing a document is similar to what a witness does in court when that person swears that he or she will tell the truth.

There are certain rules laid down for swearing a document. Your own solicitor is prohibited by law from swearing your own document. You have to go to a commissioner for oaths or a solicitor in another firm. A commissioner for oaths is a person who has been specially appointed by the courts to be available for people who want to swear oaths in front of them. You swear in front of the commissioner for oaths or solicitor. This is to ensure that you are swearing the document independently, without being influenced by another person.



## WHAT DOES IT COST?

The commissioner or solicitor will charge €10 for each signature and €2 for every document which has to be attached to, or exhibited with, the main document.

## WHAT YOUR OWN SOLICITOR WILL DO:

- **Your solicitor will check that you understand what the document says.**

You may have told your solicitor the facts of a particular matter or some details in relation to your property. Using these facts your solicitor has drafted the document you are now being asked to swear. You should read the document to make sure that it reflects accurately what you have told your solicitor. If the document deals with legal issues your solicitor will explain them to you. If there is anything you do not understand you should ask your solicitor to explain it again until you are happy to swear what it says.

- **Your solicitor will check whether you want to swear an oath.**

If you object to swearing, you may instead solemnly affirm what you are saying. This is known as an affirmation.