

Zambia

Authentication of Documents Act, 1914

Chapter 75

Legislation as at 31 December 1996

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Authentication of Documents Act, 1914

Contents

1. Short title	1
2. Interpretation	1
3. How documents executed outside Zambia are to be authenticated	1
4. Authentication by magistrate in Her Britannic Majesty's dominions	2
5. Saving as to affidavit sworn before a Commissioner of the High Court	2

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Authentication of Documents Act, 1914

Chapter 75

Commenced on 21 February 1914

[This is the version of this document at 31 December 1996.]

[1 of 1914; 42 of 1957; 57 of 1964; Government Notices 222 of 1964; 497 of 1964; Statutory Instrument 72 of 1964]

An Act to provide for the authentication of documents; and to provide for matters incidental to or connected with the foregoing.

1. Short title

This Act may be cited as the Authentication of Documents Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**authentication**", when applied to a document, means the verification of any signature thereon;

"**document**" means any deed, contract, power of attorney, affidavit, or other writing, but does not include an affidavit sworn before a Commissioner of the High Court.

[As amended by S.I. No. 72 of 1964]

3. How documents executed outside Zambia are to be authenticated

Any document executed outside Zambia shall be deemed to be sufficiently authenticated for the purpose of use in Zambia if—

- (a) in the case of a document executed in Great Britain or Ireland it be duly authenticated by a notary public under his signature and seal of office;
- (b) in the case of a document executed in any part of Her Britannic Majesty's dominions outside the United Kingdom it be duly authenticated by the signature and seal of office of the mayor of any town or of a notary public or of the permanent head of any Government Department in any such part of Her Britannic Majesty's dominions;
- (c) in the case of document executed in any of Her Britannic Majesty's territories or protectorates in Africa it be duly authenticated by the signature and seal of office of any notary, magistrate, permanent head of a Government Department, Resident Commissioner or Assistant Commissioner in or of any such territory or protectorate;
- (d) in the case of a document executed in any place outside Her Britannic Majesty's dominions (hereinafter referred to as a "foreign place") it be duly authenticated by the signature and seal of office—
 - (i) of a British Consul-General, Consul or Vice-Consul in such foreign place; or
 - (ii) of any Secretary of State, Under-Secretary of State, Governor, Colonial Secretary, or of any other person in such foreign place who shall be shown by the certificate of a Consul or Vice-Consul of such foreign place in Zambia to be duly authorised under the law of such foreign place to authenticate such document.

[As amended by No. 42 of 1957; G.N. No. 222 of 1964 and S.I. No. 72 of 1964]

4. Authentication by magistrate in Her Britannic Majesty's dominions

Notwithstanding anything in the last preceding section contained, it shall be sufficient authentication of a document executed in any part of Her Britannic Majesty's dominions for use in Zambia which affects or relates to property not exceeding in value or amount four hundred kwacha if there be appended to or endorsed on such document a statement signed by a magistrate of the part of Her Britannic Majesty's dominions in which such document is executed—

- (a) that the person executing such document is a person known to him; or
- (b) that two other persons known to him have severally testified before him that the person executing such document is a person known to each of them.

[As amended by S.I. No. 72 of 1964]

5. Saving as to affidavit sworn before a Commissioner of the High Court

An affidavit sworn before and attested by a Commissioner of the High Court beyond the confines of Zambia shall require no further authentication and may be used in all cases and matters in which affidavits are admissible as freely as if it had been duly made and sworn to within Zambia.

[As amended by S.I. No. 72 of 1964]