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What is a legal statement of truth

Is a statement of truth legally binding. How do you write a statement of truth. How much does a statement of truth cost.
What is a statement of truth.

A statement of truth is a method of providing evidence in support of an application you send to HM Land Registry.

The need to provide evidence may arise in a variety of situations, for example: when you apply to be registered as proprietor of land on the basis of adverse possession, or if for some other reason there are no documents providing your title, or such documents have been lost when you apply to register a right acquired by prescription when you apply for an entry in the register to protect an undocumentd interest in land when you apply to cancel a restriction protecting a trust in land that has come to an end HM Land Registry practice guides explain the evidence you should provide in such circumstances. Before November 2008, the normal method of providing such evidence was by statutory declaration.

On November 2008, HM Land Registry adopted statements of truth as an alternative form of evidence, following the precedent set by the civil courts. Except where the prescribed application form incorporates a statement of truth, you may use a statutory declaration for supporting evidence if you prefer. If your application is a first registration, original documents are normally required.

[illegible]

conveyancer may, however, make an application for first registration on the basis of certified copy deeds and documents only. For information about this, see practice guide 1: first registrations – Applications lodged by conveyancers – acceptance of certified copy deeds. If your application is not a first registration, we only need certified copies of deeds and documents you send to us with HM Land Registry applications. Once we have made a scanned copy of the documents you send to us, they will be destroyed. This applies to both originals and certified copies. However, any original copies of death certificates or grants of probate will continue to be returned. If the statement of truth or statutory declaration appears to contain minor or clerical errors then we may return it to be amended, with the amendments initialled and dated by the declarant, and a fresh certified copy lodged. If the statement or declaration contains more significant errors or omissions that call into question the nature of the evidence and/or the reliability of the document, we may reject or cancel the application. 2. Statement of truth forms provide a framework to supply the information we require in the most common cases: form ST1: statement of truth in support of an application for registration of land based upon adverse possession form ST2: statement of truth in support of an application for registration of land based upon a deed or deed of gift form ST3: statement of truth in support of an application for registration of land based upon a deed or deed of gift form ST4: statement of truth in support of an application for registration of land based upon a deed or deed of gift form ST5: statement of truth in support of an application to cancel a Form A restriction Using these forms does not guarantee the accompanying application will be successful, but they will help you to be sure you have considered all relevant aspects. If you prefer to do so, you may prepare your own form of statement of truth or swear a statutory declaration in these cases. 3. Requirements for a statement of truth For Land registration purposes, a statement of truth in rule 215A of the Land Registration Rules 2003 (set out in full in Appendix: rule 215A of the Land Registration Rules 2003) as follows: it is made in writing must be signed by the person who makes it (but see Statement of truth made by a person who is unable to read or sign) it need not be sworn or witnessed it must contain a declaration of truth in the following form: 'I believe that the facts and matters contained in this statement are true' if a conveyancer makes the statement of truth, they must complete panel 1 with their name (not that of their firm or employer), sign in their own name and state their capacity The statement does not have to be signed in 'wet ink'; it can be Mercury signed or signed using a conveyancer-certified electronic signature. In the last two cases, the process used for these types of signatures must be as set out in practice guide 82: electronic signatures accepted by HM Land Registry. Although rule 215A does not require a statement of truth to be dated, the registrar has power to request this (pursuant to rule 17). We therefore recommend all statements of truth are dated in order to avoid requisitions. 4. Statement of truth made by a person who is unable to read or sign If a statement of truth is made by a person who is unable to read or sign, it must be signed in the presence of a conveyancer and contain a certificate made and signed by the conveyancer in the form set out in rule 215A(4)(b) of the Land Registration Rules 2003. 5. Statement of truth made by a person who is unable to sign it, it must state the person's name, be signed by a conveyancer at their direction, in the conveyancer's own name and stating their capacity, and contain a certificate made and signed by the conveyancer in the form set out in rule 215A(5)(c) of the Land Registration Rules 2003. The certificate must have to be signed in 'wet ink' and the conveyancer must use the process used for these types of signatures must be as set out in practice guide 92: electronic signatures accepted by HM Land Registry. 6. Statement of truth by an applicant in support of an application based on adverse possession, where the application is being made under Schedule 6 to the Land Registration Rules 2003, must be made not more than one month before the application is taken to have been made; rule 188(1)(a) of the Land Registration Rules 2003. Other statements of truth should also be made as close in time as reasonably practicable to the application or disposition they support. Otherwise HM Land Registry may requisition under rule 17 of the Land Registration Rules 2003 for more up-to-date evidence before proceeding with the application. 6. Fraud warning The HM Land Registry forms that constitute a statement of truth include the following warning of the consequences of fraud.

[illegible]

The warning also applies to a freestanding statement of truth and to a statutory declaration. "If you dishonestly enter information or make a statement that you know is, or might be, untrue or misleading, and intend by doing so to make a gain for yourself or another person, or to cause loss or the risk of loss to another person, you may commit the offence of fraud under section 1 of the Fraud Act 2006, the maximum penalty for which is 10 years imprisonment or an unlimited fine, or both." 7. Appendix: Rule 215A of the Land Registration Rules 2003 215A.—(1) In these rules, a statement of truth means a statement which: (a) is made by an individual in writing (b) contains a declaration of truth in the following form: "I believe that the facts and matters contained in this statement are true" (c) is signed in accordance with paragraphs (2) to (6) (2) Subject to paragraph (5), a statement of truth must be signed by the individual making the statement. (3) The full name of the individual who signs a statement of truth must be printed clearly beneath the signature. (4) A statement of truth may be signed by an individual who is not the owner of the land to which the statement relates, provided that the individual has read and understood the nature and effect of the statement and the consequences of making a false statement or declaration. (5) Where a statement of truth is to be made by an individual who is unable to sign it, it must: (a) state that individual's full name (b) be signed by a conveyancer at the direction and on behalf of that individual, and (c) contain a certificate made and signed by that conveyancer in the following form: "I [name and address of conveyancer] certify that [the person making this statement of truth has read it in my presence, approved its content as accurate and directed me to sign it on [his] or [her] behalf or I have read over the contents of this statement of truth and explained the nature and effect of any documents referred to in it and the consequences of making a false statement or declaration." (6) Where a statement of truth, or a certificate under paragraph (4) or (5), is signed by a conveyancer: (a) the conveyancer must sign their own name and not that of their firm or employer (b) the conveyancer must state the capacity in which they sign and where appropriate the name of their firm or employer. [Inserted by Land Registration (Amendment) Rules 2008, rule 4(1), Schedule 1 paragraph 72, coming into force on 10 November 2008] 8.

DIV. No. _____ of _____

IN THE COURT OF QUEEN'S BENCH FOR SASKATCHEWAN
FAMILY LAW DIVISION
JUDICIAL CENTRE OF SASKATOON

BETWEEN:

Petitioner

- and -

Respondent

Respondent

FINANCIAL STATEMENT

I, _____ of _____, MAKE OATH AND SWEAR THAT:

- The information set out in this financial statement is true and complete to the best of my knowledge and belief and sets out my financial situation as of _____.
- ☐ I do not anticipate any significant changes in the information set out in this Financial Statement.
☐ I anticipate the following significant changes in the information set out in this Financial Statement.

- Attached are the following:

| | |
|----------------------------------|---------------------------------------|
| <input type="checkbox"/> Part 1: | Income |
| <input type="checkbox"/> Part 2: | Annual Expenses |
| <input type="checkbox"/> Part 3: | Special or Extraordinary Expenses |
| <input type="checkbox"/> Part 4: | Undue Hardship; |
| <input type="checkbox"/> Part 5: | Income of Other Persons in Household; |
| <input type="checkbox"/> Part 6: | Property |

Things to remember A statement of truth confirms that the party believes the facts stated in the document are true and accurate. Failure to provide a statement of truth can lead to statements of case being struck out or evidence being disregarded. The standard wording of a statement of truth is similar to the following examples: "The Claimant/Defendant believes the facts stated in this [document] are true"; or "I believe the facts stated in this witness statement are true". The statement of truth on certain documents, including statements of case (claim forms, particulars of claim, defences, replies and further information) and witness statements, must also include specific wording making clear that the relevant person understands the importance of the statement, for example: "I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth". Witness statements in the Business and Property Courts must also include an additional confirmation, in a prescribed form of wording, that the witness understands the purpose of witness statements and their proper preparation.

AFFIDAVIT OF PATERNITY

I, _____ of legal age _____

and a resident of _____ (state) _____ (county) _____

and with signature on _____ Present Me, _____

_____ on _____ having been duly sworn to

in accordance to by the hereby declare and say:

That I am the father of the child _____ born on _____

_____ to _____ a citizen of the _____

2. That the mother is _____ a citizen of the _____

3. That I acknowledge to support my son/ daughter and also the use of _____

4. That the affidavit is being executed for the purpose of attesting to the

truth of the facts above stated and for whatever legal purpose it may serve.

AFFIDANT FURTHER SWEARS UNDER:

Signature of Affiant sworn before me

_____ day of _____

Notarized and sworn to before the title _____

City of _____, China.

Doc. No. _____

Serial No. _____

Page No. _____

Serial of _____

Statements of truth must be in a witness' own language (so, for example, a non-English speaking witness who therefore makes a witness statement in their own language must also make their statement of truth in that language), and must be dated with the date on which they are signed. Who must sign? Where a document is to be verified by a company, the statement of truth must be signed by a senior corporate officer who is sufficiently acquainted with the matters set out in the document to positively advance an honest belief. The signatory should also be authorised by the organisation to sign the document on its behalf. Examples of senior positions are: director, treasurer, secretary, chief executive, manager or in-house counsel. A witness statement should be signed by the person making the statement. False statements of truth Proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth. This may result in a criminal prosecution with a custodial sentence, so it is important that parties and their lawyers think very carefully before advancing cases or evidence.