

# Oaths, Affidavits and Declarations: Local and Foreign Issues

by  
Mr. Samuel Li,  
Solicitor & Notary Public,  
Samuel Li & Co., Solicitors & Notaries



Mr. Samuel Li is the Sole Proprietor of Samuel Li & Co., Solicitors & Notaries. He qualified as a solicitor in Hong Kong in 1983. He passed the Notarial Examination in 1995 and was admitted as a Hong Kong Notary Public.

Samuel now focuses on notarial practices. In the preceding 20+ years as a Hong Kong Notary Public, he has an excellent track record in providing notarial services to clients including overseas government, and world's leading brand companies. More than 70 countries and regions on world's 5 continents have accepted Samuel's notarised documents.

Samuel has presented 40 seminars to professionals to demonstrate notarial practice, with total audience exceeding 3,485.

Samuel is the author of the soon released notarial book named "Notarial Services in Hong Kong: General Principles, Values and Practice".

Samuel has received 14 Pro Bono Legal Services Awards & Professional Volunteer Service Awards respectively from the Home Affairs Bureau of the HKSAR, The Law Society of Hong Kong and Hong Kong Council of Volunteering in recognition of his promoting legal knowledge and professional volunteering services to the public. In 2014, Samuel was nominated by the Hong Kong Law Society to participate in the Second Leadership Bauhinia Volunteer Award competition organized by the Agency for Volunteer Service.



The objective of the seminar is to identify and manage the risk associated with Affidavits and Declarations.

In their daily practice, legal practitioners often handle Affidavits and Declarations in court cases, conveyancing transactions, and other legal matters.

Affidavits are governed by Rules of High Court Order 41, and Practice Directions 10.1. Failure to comply will cause affidavit evidence inadmissible with a risk of losing clients' cases. Although leave can be applied from court for defective affidavits to be admitted into evidence, there is a risk of losing costs and wasting time.

Statutory Declarations are under the strict rules of the Oaths and Declarations Ordinance (Cap.11). The Failure to comply is fatal thereby posing a risk.

The Speaker will mention the proper ways to avoid the risk of non-compliance and will take the attendees through the court cases for the lessons to be learnt:

- Yiu Ping Fong & Another v Lam Lai Hing [1999] 1 HKLRD 793
- Top Flying Investment Limited v Open Mission Assets Limited [2006] 4 HKLRD 83
- Sean Eric McLean Ho Tung v Hillhead Limited (HCMP 4511/2002)

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Untrue affidavits may commit the criminal offence of perjury, and if not the primary offence, the attempted perjury offence. And unattended legal practitioners may facilitate perjury and to alert them, court cases will be illustrated so as to avoid the risk:

- R v Robert Eli Low, HCMA1180/1996
- HKSAR v. Kanjanapas Chong Kwong, Derek And Others, DCCC 298/2005

The Speaker will also give practical tips on the subject.

#### Course Outline:

- Oaths
- Affidavits & Solemn Affirmations in Writing
- Statutory Declarations
- Use of English or Chinese
- Relaxed Evidence in Hearings
- Person Entitled to Administer Oath etc. Out of Court
- Proof of Cross Border Affidavits/Declarations
- Case Studies of Affidavits/Statutory Declarations
- Tips
- Other Matters
- US Acknowledgement
- Offences
- Real Life Experience During Covid-19
- Speaker's Demonstration
- Questions & Answers

Scan to Calendar



Code:	<b>EVT000000434</b>	Level:	<b>Intermediate</b>
Date:	<b>9 July 2024 (Tuesday)</b>	Language:	<b>Cantonese (Course Materials in English)</b>
Time:	<b>14:30 - 17:45</b> (Reception starts at 14:00)	Accreditation(s):	<b>LSHK RME Elective Course Status being applied for LSHK CPD Points being applied for</b>
Venue:	<i>Option of:</i> (1) <b>Online</b> via Zoom; <i>or</i> (2) <b>Kornerstone Institute</b> 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Admission:	Standard Fee: <b>HK\$2,280.00</b> <b>Advanced Booking: HK\$1,980.00</b> <i>(on or before 25 June 2024)</i> Please call 2116 3328 for details and Group Discount



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Please print in **BLOCK** letters.

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I consent to the use of my personal data on direct marketing for the purpose as stated on the overleaf of this form.		
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### Personal Data Collection Statement:

This course is jointly presented by **The Profectional Company Limited** in partnership with **Kornerstone Limited**, when register a course with us, the delegate's personal data collected will be stored in both of our databases which we will NEVER sell, share or otherwise distribute to any third parties other than staffs internally within our companies; or with our subsidiaries and affiliated entities on a need-to-know basis.

When the delegate made a consent to allow us to use his/her personal data for direct marketing purposes, this included but not limited to the promotion of our services, events, programmes, activities, seminars, courses, conferences; for the purpose of training, education, career advancement, talent management, competitive enhancement, professional development and entertainment.

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### Course Registration Terms and Conditions:

**General** - Registrations are accepted on a first-come-first-serve basis, priority will be given to those who have settled the admission fee in full. The admission fee includes the payment receipt, course materials, refreshments and the certificate of attendance.

**Confirmation** - A written confirmation will be issued upon the received of the full payment and the registration form, it will either be sent by facsimile or by email. Delegates are advised to contact us if he/she have not received the confirmation two days prior to the scheduled course.

**Cancellation/Transfer Policy** - NO cancellation is allowed once we have issued a written confirmation. The admission fee is NOT refundable but nomination of a replacement delegate is allowed, alternatively the delegate can transfer the registration to one of the upcoming courses provided that fourteen days written notice is given.

**Incurring Expenses** - Any bank charges and/or expenses incurred as a result of bounced cheques/bank transfers will be borne by the delegates. Registrants are advised to pay the sufficient fee.

**Attendance Policy** - A certificate of attendance will be given to each attendee at the end of the course, additional certificate of attendance/letter of verification of attendance can be issued at price of HK\$50.00 per copy. The certificate of attendance will NOT be issued to the delegate if he/she is absent for more than ten minutes for a course of less than three hours; or more than thirty minutes for a course of three hours or more in duration.

**Adverse Weather Arrangement** - In event of Typhoon Signal Number Eight or above/Rainstorm Black Warning is in forced or expected to be hoisted within two hours before the course scheduled time, the course will be cancelled. The course will be rescheduled or a credit note valid for twelve months will be issued, NO refunds will be given.

**Disclaimer** - **The Profectional Company Limited** and **Kornerstone Limited** reserve the rights to amend the course title, agenda, presenter(s), accreditation(s), venue and admission fee should the need arise; reschedule or cancel any courses without any advanced notice; the course registration terms and conditions and has the final decision on all matters and disputes.

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Email to: enquiry@kornestone.com

Online at: http://registration.cpd.hk

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Visit in Person at: Kornerstone Limited  
15/F, Hip Shing Hong Centre  
55 Des Voeux Road Central, Central, Hong Kong  
(MTR Central Station Exit B/Hong Kong Station Exit C)  
Opening Hours: 10:00 - 19:00 (Monday - Friday)

### Payment Methods:

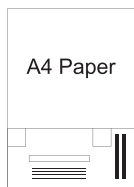
**Cheque** - Please make crossed cheque payable to "Kornerstone Limited" and write the name of delegate at the back.

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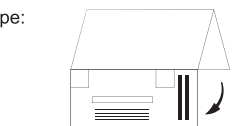
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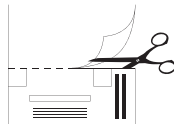
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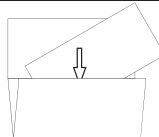
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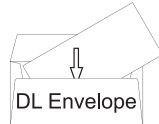
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