

GUIDELINES FOR THE USE OF NOTARIES PUBLIC

*This information package is prepared to assist Notaries Public. It is not intended to be legal advice.

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I. DEFINITIONS

Affidavit

A written statement formally confirmed by swearing an oath or affirming before a competent authority, such as a Notary Public. Affidavits are often used as evidence in court.

Affirmation

A solemn statement that is not religious that has the same effect as an oath. An affirmation can be used if a person objects to swearing an oath.

Attest

To affirm the truth of a statement or bear witness to something.

Deponent

A person who gives evidence in writing. The person who makes an affidavit is the deponent.

Exhibit

Evidence in the form of records or other documents that are meant to support a person's affidavit. Exhibits are frequently found annexed, or attached to, affidavits.

Jurat

The part of the document that describes when, where, and before whom an affidavit was sworn or affirmation received. The jurat appears at the end of the document and must be completed by the Notary Public.

Oath

A solemn statement accompanied by swearing to a Supreme Being or something sacred to the person taking the oath.

Statutory Declaration

A formal declaration made in a prescribed form that has legal force similar to an oath or affirmation.

II. WHO CAN APPLY TO BECOME A NOTARY PUBLIC?

- A Canadian citizen over the age of 18 who resides in Saskatchewan.
- A British subject over the age of 18 who resides in Saskatchewan.

III. HOW DOES SOMEONE BECOME A NOTARY PUBLIC?

- (a) Apply and pay the prescribed fee on-line at www.saskatchewan.ca
- (b) Complete an online educational component.
 - *Exception:* A duly enrolled solicitor in Saskatchewan who holds a subsisting annual certificate issued by the Law Society of Saskatchewan is automatically a notary public by virtue of his or her status as a solicitor.
- (c) Pay the prescribed fee of \$200.
 - *Exception:* An applicant that requires an appointment in connection with his or her duties and is employed by the Saskatchewan Government or Saskatchewan Legal Aid Commission does not have to pay the fee; however the application form must be authorized by the applicant's employer.
- (d) Be appointed by a designate of the Minister of Justice and Attorney General.

Change of Information

- A notary public must advise the Saskatchewan Ministry of Justice, Commissioner for Oaths/Notary Public of any material changes, i.e. criminal conviction, name change, employment or address during their appointment.

Contact the Commissioner for Oaths and Notary Public Inquiry Line 306-787-4117 if you have any questions.

IV. TERM OF APPOINTMENT

An appointment expires five years from the last day of the month in which the appointment is made, unless it is sooner revoked.

A notary public whose appointment expires is required to show the date on which the appointment expires on every affidavit, declaration or other certificate made before or given by him or her.

“My appointment expires _____, 20__.”
--

A notary public who fails to show the expiry date of the appointment can be found guilty of an offence and be fined up to \$50.

V. WHAT CAN A NOTARY DO?

- Administer [oaths](#);
- Receive [affirmations](#);
- Receive [declarations](#);
- Certify and attest true copies of documents;
- Issue deeds and contracts, charter-parties and other mercantile documents in Saskatchewan;
- Attest to commercial instruments brought before him or her in Saskatchewan.

The usual role of a notary public in Saskatchewan is to administer oaths and take and receive affidavits, affirmations and declarations. A notary is also frequently called upon to make a notarial copy of a document for official purposes.

In addition, a notary public is authorized by legislation of Saskatchewan or Canada to undertake other duties. These duties will be identified later in this guide.

A notary public must ensure that a document has been fully completed prior to subscribing his or her signature or affixing his or her seal.

VI. TAKING OF EVIDENCE UNDER OATH

Section 43 of [The Interpretation Act, 1995](#) authorizes a notary public to administer the oath and give a certificate of the oath having been made, taken or administered, where an oath is authorized or directed to be made, taken or administered by an Act or by an order of the Lieutenant Governor or the Lieutenant Governor in Council requiring the taking of evidence under oath.

Section 27 of *The Interpretation Act, 1995* also says that, in legislation:

“oath” or “affidavit” includes a solemn affirmation or declaration and “sworn” includes “affirmed” or “declared”;

“statutory declaration” or “solemn declaration” means a solemn declaration made pursuant to *The Evidence Act* or the *Canada Evidence Act*;

VII. DUTIES TO BE EXERCISED ONLY IN SASKATCHEWAN

A notary public appointed in Saskatchewan may exercise the authority only in Saskatchewan.

VIII. NOTARIAL SEAL

The Notaries Public Act does not require a notary public to have or use a seal. However, certain statutes authorize the acceptance of documents “under the hand and seal of a notary public”, including [The Saskatchewan Farm Security Act](#).

It is suggested that a notary public secure a suitable seal at his or her expense for use when required. For authentication purposes, the name on the seal is required to match what the notary public’s certificate has, if there are any discrepancies it could cause authentication delays.

The design and nature of a notarial seal is not mandated by statute and a notary public is, therefore, able to choose a seal of a design and material that best suits his or her requirements. A metal seal that is capable of impressing the seal in a raised design is accepted or even required in many circumstances. On the other hand, some places require electronic submission, for which a seal must be visible on an imaged or photocopied document. A rubber seal is much more likely to meet this requirement.

The design of a notarial seal is often circular with the name of the notary public, including at least one first name, in the upper half of the outer ring, the word “Saskatchewan” in the lower half of the outer ring and the words “Notary Public” in the centre of the inner ring.

Notarial seals can be purchased at most stationary/ business supply stores or online. A rubber stamp costs approximately \$20 and a metal seal (embosser) costs approximately \$55 - \$60.

Example:



a. DOCUMENTS TO BE USED OUTSIDE SASKATCHEWAN

A notary public should always affix the seal to a document that is to be used outside Saskatchewan in order for it to be accepted for use within the other jurisdiction.

b. DOCUMENTS TO BE USED IN SASKATCHEWAN

With certain exceptions, the law does not require a notary public to affix the seal to documents that are to be used in Saskatchewan.

IX. NOTARY'S SIGNATURE

A notary public must sign their name and write or stamp their expiry date below on every affidavit, declaration or other documents made before them in one of the following phrases, depending on their appointment:

A notary public,
Being a solicitor.

A notary public.
My appointment expires
_____ 20____."

In addition to the above, it is recommended to sign with a blue pen to ensure the signature is the original.

X. WHAT IS AN AFFIDAVIT?

An affidavit is a written declaration by a person that a statement of fact is true. The person who is making the statement must swear, declare or affirm before a person with the power to administer affidavits (i.e. a commissioner for oaths or notary public) that the contents are true.

XI. JURATS

The jurat is the part of the affidavit that describes the circumstances under which the affidavit or document was made.

<u>Sample Jurat</u>		
Sworn before me at the City of Regina,)	
in the Province of Saskatchewan,)	<u>A.B.</u>
this 1 day of January, 2001.)	(signature of deponent)

The jurat should include:

- The date of swearing, affirming or declaring;
- The place where the document was sworn, affirmed or declared;
- Whether the person making the document swore an oath, affirmed or declared the contents of the document;
- The signature of the Notary Public.

In the case of an [oath](#), the jurat should include the words:

- “Sworn before me.”

In the case of an [affirmation](#), the jurat should include the words:

- “Affirmed before me.”

In the case of a [declaration](#), the jurat should include the words:

- “Declared before me.”

XII. HOW TO ADMINISTER AN OATH

An oath is a solemn appeal to a Supreme Being attesting to the truth of some statement. A person who gives an oath must believe in a Supreme Being who will punish the person if the person swears falsely.

The recommended manner of providing an oath is as follows:

- The person signing the oath (deponent) must be physically present.
- The notary must ask the deponent to sign the document.
- If the document has already been signed, the notary shall ask the deponent to acknowledge the signature (e.g. “Is this your signature?” or “Did you sign this document?”).

- The notary shall ask that the deponent to swear an oath stating that the contents of the affidavit are true.

Example where document is signed in presence of notary:

The notary may ask: “Do you swear the contents of this, your affidavit, are true, so help you God?”

The deponent should reply: “I do.”

Example where document is already signed:

The notary may request the deponent to swear and state as follows:

“This is my name and signature (point to the signature) and I swear that the contents of this, my affidavit are true. So help me God.”

-OR-

The notary might point to the signature and ask: “Is that your name and handwriting?”

The deponent should indicate that it is the deponent’s name and signature.

The notary then asks: “Do you swear the contents of this your affidavit are true, so help you God?”

The deponent should reply: “I do.”

- Once the deponent has sworn that the contents of the affidavit are true, the notary should immediately complete the jurat by setting out the date and place where the oath was administered.
- The notary should immediately sign the jurat.
- The notary should write or stamp below the signature and fill in the date (as described above).

“A notary public,
being a solicitor.”

A notary public.
My appointment expires
_____ 20 ____.”

The notary must impress his or her notarial seal:

- Where is it required by law pursuant to which the notary public has acted;
- Where the document is being used outside Saskatchewan.

XIII. HOW TO ADMINISTER AN AFFIRMATION

An affirmation can be substituted for an oath. An affirmation is a solemn and formal declaration that a certain statement is true. An affirmation is as binding and effective as an oath.

The recommended manner for receiving an affirmation is as follows:

- The person signing the affirmation (affirmant) must be physically present.
- The notary must ask the affirmant to sign the document.
- If the document has already been signed, the notary shall ask the affirmant to acknowledge the signature (e.g. “Is this your signature?” or “Did you sign this document?”).

The notary shall ask that the affirmant to affirm the truth of the affidavit.

Example where document is signed in presence of notary:

The notary may ask: “Do you affirm the contents of this, your affidavit, are true?”

The affirmant should reply: “I do.”

Example where document is already signed:

The notary may request that the affirmant point to the signature and state:

“This is my name and signature and I affirm that the contents of this my affidavit are true.”

-OR-

The notary might point to the signature and ask: “Is that your name and handwriting?”

The affirmant should indicate that it is his or her name and signature.

The notary then asks: “Do you affirm that the contents of this, your affidavit are true?”

The affirmant should reply: “I do.”

- Once the affirmant has affirmed that the contents of the affidavit are true, the notary should immediately complete the jurat by setting out the date and place where the affirmation was administered.
- The notary should immediately sign the jurat.
- The notary should write or stamp below the signature and fill in the date (as described above).

“A notary public,
being a solicitor.”

A notary public.
My appointment expires
20 .”

- The notary must impress his or her notarial seal:
 - Where is it required by law pursuant to which the notary public has acted;
 - Where the document is being used outside Saskatchewan.

XIV. HOW TO ADMINISTER A DECLARATION

A declaration is a written account proving the execution of any writing, deed or instrument, or the truth of any fact. A declaration has the same effect as an oath under the *Canada Evidence Act* or *The Evidence Act* of Saskatchewan.

The recommended manner for receiving a declaration is as follows:

- The person signing the declaration (the declarant) must be physically present.
- The notary must ask the declarant to sign the document.
- If the document has already been signed, the notary shall ask the declarant to acknowledge the signature (e.g. “Is this your signature?” or “Did you sign this document?”).

The notary shall ask that the declarant to acknowledge the truth of the affidavit:

Example where document is signed in presence of notary:

The notary may ask: “Do you make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath or affirmation by virtue of the *Canada Evidence Act* (or *The Evidence Act* of Saskatchewan)?”

The declarant should reply: “I do.”

Example where document is already signed:

The notary may request that the declarant point to the signature and state:

“This is my name and handwriting. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath or affirmation by virtue of the *Canada Evidence Act* (or *The Evidence Act* of Saskatchewan).”

-OR-

The notary might point to the signature and ask: “Is that your name and handwriting?”

The declarant should indicate that it is his or her name and signature.

The notary then asks: “You make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act* (or *The Evidence Act* of Saskatchewan)?”

The declarant should reply: “I do.”

- Once the declarant has declared that the contents of the affidavit are true, the notary should immediately complete the jurat by setting out the date and place where the declaration was administered.
- The notary should immediately sign the jurat.

- The notary should write or stamp below his or her signature and fill in the date as described above.

“A notary public,
being a solicitor.”

A notary public.
My appointment expires
_____ 20____.”

- The notary must impress his or her notarial seal:
 - Where it is required by law pursuant to which the notary public has acted;
 - Where the document is being used outside Saskatchewan.

XV. CONSISTENT PROCEDURE

It is important that a notary follow a consistent procedure.

A notary may be called upon to give evidence in court or before a tribunal about how he or she took an oath, affirmation or declaration. Many notaries will take any number of oaths, affirmations or declarations each year and it may be impossible to recall the exact circumstances of a particular oath taking, affirmation or declaration.

Trials occur months, or sometimes years, after a particular event. By following a consistent procedure, a notary may say that, while he or she cannot recall what was done in a particular case, that he or she did follow his or her usual practice. Where a notary follows a consistent procedure, the notary can testify to his or her regular practice.

Criminal Liability of a Notary Public

The *Criminal Code* places a high degree of responsibility on persons who administer oaths, affirmations and declarations. Section 138 of the *Criminal Code* provides that anyone who signs an affidavit or statutory declaration representing that it was sworn or declared before them when it in fact was not is guilty of an offence and is liable to imprisonment for two years.

A Spouse’s Oath, Affirmation or Declaration

Notaries Public should not take their spouse’s oath, affirmation or declaration. Sections of the *Canada Evidence Act* protect spouses from giving evidence against one another. If a Notary Public takes their spouse’s oath, affirmation or declaration, this can lead to problems in the proof of affidavits in court. It can also create problems in the prosecution of *Criminal Code* offences involving perjury and the swearing of false affidavits.

Authentication/Legalization

Documents executed and attested before a Notary Public in Saskatchewan are not usually acceptable in other countries, including the United States, unless accompanied by a Certificate of Authentication. This certificate is signed by an official of the Deputy Provincial Secretary's Office, who authenticates the appointment, signature and seal of the Notary Public.

Please refer to the Saskatchewan Justice Website at <https://www.saskatchewan.ca/government/notarize-documents-queens-printer-maps-and-other-publications/authenticating-notarized-documents> for more information about the authentication process.

EXPIRY

Every Notary Public must ensure that he or she does not act after the expiry date of his or her appointment.

XVI. THE ROLE OF A NOTARY PUBLIC UNDER *THE HOMESTEADS ACT, 1989*

Notaries public are often asked to complete certificates pursuant to [*The Homesteads Act, 1989*](#). The important provisions are sections 5 through 7, the pertinent portions of which read as follows:

- 5(1)** No owning spouse shall make a disposition of a homestead to a person other than the non-owning spouse, unless:
- (a) The non-owning spouse consent to the disposition in accordance with sections 6 and 7; . . .
- 6(1)** No disposition of a homestead shall be made without the consent of the non-owning spouse in the form prescribed in the regulations.
- (2) The consent of the non-owning spouse mentioned in subsection (1):
- (a) shall state that the non-owning spouse:
 - (i) consents to the disposition of the homestead; and
 - (ii) has signed the consent for the purpose of relinquishing his or her homestead rights in the property to the extent necessary to give effect to the disposition; . . .
- 7(1)** A non-owning spouse who executes a consent to a disposition of a homestead shall acknowledge separate and apart from the owning spouse that he or she:
- (a) Understands his or her rights in the homestead; and
 - (b) Signs the consent to the disposition;
 - (i) of his or her own free will and consent; and
 - (ii) without compulsion on the part of the owning spouse.
- (2) The acknowledgement described in subsection (1) may be made before:
- (d) A person appointed as a notary public pursuant to *The Notaries Public Act*.

- (3) A certificate in the form prescribed in the regulations shall be signed by the person taking the acknowledgement to the effect that:
- (a) he or she has examined the non-owning spouse separate and apart from the owning spouse;
 - (b) the non-owning spouse understands his or her rights in the homestead; and
 - (c) the non-owning spouse signs the consent to the disposition of his or her own free will and consent and without any compulsion on the part of the owning spouse...
- (6) No person shall be qualified to take the acknowledgement of a non-owning spouse pursuant to subsection (1) or (4) when that person, his or her employer, partner or clerk has prepared the disposition in question or is otherwise interested in the transaction involved.

See Form N for the **Form A, Consent of Non-Owning Spouse and Form B, Certificate of Acknowledgement** required by *The Homesteads Act, 1989*.

It is necessary to ensure that the non-owning spouse understands his or her rights in the homestead and that he or she is voluntarily giving up those rights and not being compelled by the owning spouse. The following procedure is suggested as a guide:

- Request that the non-owning spouse appear before you personally; the examination cannot be done over the phone;
- Ask the owning spouse to leave the room and do not conduct the interview if the owning spouse refuses to leave;
- Explain to the non-owning spouse, separate and apart from the owning spouse, that *The Homesteads Act, 1989* is designed to protect and preserve rights of the non-owning spouse in the homestead, and that the purpose of the interview is to ensure that the non-owning spouse understands his or her rights in the homestead and that he or she signs the consent voluntarily and without any compulsion on the part of the owning spouse;

Ask the non-owning spouse the following questions:

- Do you acknowledge that you understand your rights in the homestead?
And
- Do you acknowledge that you sign the instrument (name it, such as “transfer”) of your own free will and consent and without compulsion on the part of the owning spouse?

If the non-owning spouse answers “yes”, or indicates his or her acknowledgement in some other way, have him or her complete Form A; you should then complete and sign Form B.

Please note the provisions of subsection 7(6) of *The Homesteads Act, 1989*. A notary public is prohibited from taking the acknowledgement of the non-owning spouse when that person, his or her employer, partner or clerk has prepared the disposition or is otherwise interested in the transaction in question.

If the non-owning spouse indicates he or she does not understand his or her homestead rights or is signing under compulsion or does not willingly consent, you should not complete the Forms but should refer the spouse to the lawyer.

XVII. FEE FOR SERVICE

A notary public may take such reasonable charge as he or she considers is justified according to the time required in each case to perform the duty requested of him or her.

XVIII. ALTERATIONS

If you need to alter or make a change in the jurat or the body of the affidavit, the alteration should be identified by the use of initials.

<u>Correct method of alteration</u>	<u>Incorrect method of alteration</u>
“Sworn before me at the City of Regina, Saskatchewan this 1 st day of January, 2001 <i>AB</i> 2002.”	“Sworn before me at the City of Regina, Saskatchewan this 1 st day of January, 2001 2002.”

XIX. RESWEARING

It may be that an affidavit requires reswearing (although this is rare). An affidavit can be resworn at any time prior to use but a second [jurat](#) is required. The second jurat must use the word “resworn” and read as follows:

“Resworn before me at
Regina, Saskatchewan, this
1st day of January, 2003.”

<u>Sample Jurat</u>		
Sworn before me at the City of Regina,)	
in the Province of Saskatchewan,)	<u> <i>A.B.</i> </u>
this 1 day of January, 2001.)	(signature of deponent)

XX. EXHIBITS

Often, an affidavit will contain documents or copies of documents that are attached as exhibits. An affidavit is a narrative completed by the person making the affidavit and often the narrative is assisted by copies of letters, records or other documents.

For example, an affidavit may say:

“Attached to this my affidavit as Exhibit “A” is a true copy of [name of document].”
Where there are exhibits attached to the affidavit, the notary should confirm that the document attached to the affidavit is the exhibit. The notary should ask: “Is this the document referred to in your affidavit?”

Each exhibit must bear the authentication of the notary. The exhibit reference should be as follows:

“This is Exhibit ‘ ___ ’ (i.e. A, B, C, etc...) referred
to in the affidavit of A.B. sworn before me
this 1st day of January, A.D., 2001.”

(Signature of notary public)

XXI. SCHEDULES

Schedules or appendices to an affidavit should precede the [jurat](#). Where they are placed after the jurat, the notary must initial each schedule and the person who makes the affidavit should sign the schedule or appendix.

B. Statutory Declaration

Canada)
Province of Saskatchewan)
To Wit:)

I, A.B. of the (city, town, village) of (name of city, town, village), in the Province of Saskatchewan do solemnly declare:

- 1.
- 2.
- 3.

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath or affirmation by virtue of *The Evidence Act* of Saskatchewan.

Declared before me at the)
(city, town, village) of (name of city, town, village), in)
the Province of Saskatchewan) (signature of declarant)
this ___ day of _____)
20 _____.)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20 ____.

The notary public shall inform the declarant that his/her declaration is of the same force and effect as if made under oath and that he or she is liable to prosecution under the Criminal Code if there are statements in the declaration which he or she knows to be false.

C. Affidavit by one deponent

Jurat

Sworn before me at the (city, town, village))
of (name of city, town, village),)
in the Province of Saskatchewan,) _____
this _ day of _____,) (signature of deponent)
20_____.)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

D. Affidavit by two or more deponents

This jurat is to be used when deponents are sworn at the same time. If all deponents are not sworn at the same time, a separate jurat must be written for each occasion on which the oath is administered.

Jurat

Sworn by the deponents A.B. and)
C.D. before me at the)
(city, town, village) of (name of city, town, village)) _____
in the Province of Saskatchewan,) (signature of deponent)
this _____ day of _____,) _____
20_____.) (signature of deponent)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

E. Affidavit when notary public reads affidavit to deponent

This jurat is to be used when a deponent cannot read the affidavit, or requests that the notary public read the affidavit to him or her.

Jurat

Sworn before me at the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan this)
__ day of _____,)
20____, the said affidavit)
having been first read over in)
my presence to the deponent)
who seemed perfectly to understand)
the same and signed the same)
(or made his or her mark thereto) in)
my presence.)

(signature or mark of deponent)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

F. Affidavit when witness reads affidavit to marksperson

This jurat is to be used when a deponent cannot read the affidavit, or requests that a witness read the affidavit to him or her.

Jurat

Sworn by the deponent A.B.)
before me at the (city, town, village) of)
(name of city, town, village), in the Province)
of Saskatchewan, this ____ day)
of _____, 20____,)
C.D., the witness to the mark of the said)
A.B. having been first sworn before me)
that he or she truly, distinctly and audibly)
read over the contents of this affidavit)
to the deponent A.B.)

(if there are exhibits add: and explained)
to the deponent the nature and effect of the)
exhibits therein referred to),)
and that the deponent A.B. appeared)
to understand the same, and made his or her)
mark to this affidavit in the presence)
of the deponent C.D.)

(signature or mark of A.B.)

(C.D., witness to the mark of said
A.B., including residence).

(signature of notary public)

A Notary Public.

My appointment expires

_____, 20____.

G. Affidavit by a visually impaired person when notary public reads affidavit to deponent

This jurat is to be used when a deponent cannot read the affidavit by virtue of being visually impaired and the notary public reads the affidavit to the deponent.

Jurat.

Sworn by the deponent A.B.)
before me at the (city, town, village))
of (name of city, town, village), in)
the Province of Saskatchewan this)
 day of ,)
20 , I having first truly)
distinctly and audibly read over to the)
deponent the contents of this affidavit)
(if there are exhibits referred to in)
the affidavit, add: and explained to)
the deponent the nature and effect of the)
exhibits therein referred to) the deponent)
being blind; and he or she appeared to)
understand the same.)

(signature or mark of A.B.)

(signature of notary public)

A Notary Public.

My appointment expires

_____, 20____.

H. Affidavit by a visually impaired person when witness reads affidavit to deponent

This jurat is to be used when a deponent cannot read the affidavit by virtue of being visually impaired and a witness reads the affidavit to the deponent.

Jurat.

Sworn by the deponent A.B.)
before me at the (city, town, village) of)
(name of city, town, village), in the Province)
of Saskatchewan, this ____ day)
of _____, 20____,)
C.D., the witness to the signature (or mark))
of the said A.B. having been first sworn)
that he or she had truly, distinctly and audibly)
read over the contents of this affidavit)
to the deponent A.B. (if there are exhibits)
add: and explained to the deponent the)
nature and effect of the exhibits therein)
referred to),the deponent being blind; and)
that the deponent A.B. appeared to)
understand the same, and signed his or her)
name (or made his or her mark))
to this affidavit in the presence of the)
deponent C.D.)

(signature or mark of A.B.)

(C.D., witness to the mark of said
A.B., including residence).

(signature of notary public)

A Notary Public.

My appointment expires

_____, 20____.

I. Deponent physically incapable of signing

Jurat

Sworn before me at the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan, this ____)
day of ____ 20____,)
the deponent A.B. having made this mark)
to this affidavit in my presence, he or she)
being physically incapable)
of writing his or her name.)

(mark of A.B.)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

J. Deponent incapable of affixing any mark

Jurat

Sworn before me at the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan, this ____)
day of ____ 20____,)
without the deponent A.B. affixing thereto)
any mark or signature, he or she being)
physically incapable of so doing.)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

K. Affidavit of deponent who does not speak English

This jurat is to be used when a deponent deposes through an interpreter.

Jurat

Sworn before me at the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan, this _____)
day of _____, 20_____,)
by the deponent A.B. through the)
interpretation of C.D., the said C.D. having)
sworn that he or she had truly, distinctly and)
audibly read over and interpreted the)
affidavit to the deponent A.B. (if there are)
exhibits referred to in the affidavit, add:)
and explained to the deponent the nature and)
effect of the exhibits therein referred to), and)
that he or she would truly and faithfully)
interpret to the said A.B. the oath about to)
be administered to him or her.)

(signature of A.B.)

(C.D., witness contents of this to the)
said A.B., including residence).

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

L. Affidavit in a foreign language

This jurat is to be used when an oath is interpreted to the deponent through an interpreter.

Jurat.

Sworn before me at the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan, this) (signature of A.B.)
day of 20 ,)
by the deponent, A.B., through the)
interpretation of C.D., the said C.D. having)
been first sworn that he or she would truly and)
faithfully interpret to the said A.B. the oath) (signature of interpreter, C.D.,
about to be administered to him or her.) including residence).

(signature of notary public)

A Notary Public.
My appointment expires
 , 20 .

M. Affidavit verifying translation of a foreign language affidavit

This jurat is to be used to verify the translation of a foreign language affidavit by a translator.

Jurat.

C.D. of the (city, town, village))
of (name of city, town, village), in the)
Province of Saskatchewan, (occupation))
was sworn before me at the)
(city, town, village) of (name of city, town, village))
this ___ day of _____,)
20_____, that the above written is a true)
translation into the English language of the)
affidavit of A.B., the original of which in the)

(signature of C.D.)

(state which language) language being thereunto annexed.)

(signature of notary public)

A Notary Public.
My appointment expires
_____, 20_____.

N. Forms A and B under *The Homesteads Act, 1989*

FORM A

(section 6 of the Act)

CONSENT OF NON-OWNING SPOUSE

I, _____, non-owning spouse
of _____, consent to the above/attached disposition.

I declare that I have signed this consent for the purpose of relinquishing all my homestead rights
in the property described in the above/attached disposition in favour of _____
to the extent necessary to give effect to this _____ .
(type of document)

Signature of Non-owning Spouse

FORM B

(subsection 7(3) of the Act)

CERTIFICATE OF ACKNOWLEDGMENT

I, _____, _____,
(indicate capacity, e.g. A Notary Public)

certify that I have examined _____, non-owning spouse of
_____, the owning spouse, in the above/attached
_____ separate and apart from the owning spouse.
(type of document)

The non-owning spouse acknowledged to me that he or she:

- (a) signed the consent to the disposition of his or her own free will and consent and without any compulsion on the part of the owning spouse; and
- (b) understands his or her rights in the homestead.

I further certify that I have not, nor has my employer, partner or clerk, prepared the above/attached _____ and that I am not, nor is my
(type of document)

employer, partner or clerk, otherwise interested in the transaction involved.

Signature