Section 47.

EIGHTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
43 & 44 Vict. c. 24.	The Spirits Act, 1880.	Subsection (4) of section ninety-five.
7 & 8 Geo. 5. c. 31.	The Finance Act, 1917.	Section thirty-two.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918.	Subsection (4) of section thirty-nine.
11 & 12 Geo. 5. c. 47.	The Safeguarding of Industries Act, 1921.	Section ten.
15 & 16 Geo. 5. c. 36.	The Finance Act, 1925.	Section ten.
17 & 18 Geo. 5. c. 10.	The Finance Act, 1927.	Subsection (1) of section eight and Part I of the Third Schedule.
18 & 19 Geo. 5. c. 17.	The Finance Act, 1928.	Section thirteen, as from the first day of January, nineteen hundred and thirty-four.
21 & 22 Geo. 5. c. 28.	The Finance Act, 1931.	Section three, as from the first day of January, nineteen hundred and thirty-four; section eight.
22 & 23 Geo. 5. c. 8.	The Import Duties Act, 1932.	Subsection (4) of section four; sections six, seven and seventeen and the Third Schedule.
22 & 23 Geo. 5. c. 25.	The Finance Act, 1932.	Subsection (4) of section twenty-eight.
22 & 23 Geo. 5. c. 53.	The Ottawa Agreements Act, 1932.	Subsection (7) of section two.

CHAPTER 20.

An Act to consolidate and simplify the law of Scotland relating to false oaths, declarations, and statements. [28th June 1933.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows :—

False statements on oath.

1. If any person being required or authorised by law to make any statement on oath for any purpose, and being lawfully sworn wilfully makes a statement which is material for that purpose and which he knows to be false or does not believe to be true, he shall be guilty of a crime and offence and shall be liable on conviction thereof to penal servitude for a term not exceeding five years or to imprisonment with or without hard labour for a term not exceeding two years or to a fine or to both such penal servitude or imprisonment and fine.

False statutory declarations and other false statements without oath.

2. If any person knowingly and wilfully makes (otherwise than on oath) a statement false in a material particular, and the statement is made—

(*a*) in a statutory declaration; or

(*b*) in an abstract, account, balance sheet, book, certificate, declaration, entry, estimate, inventory, notice, report, return or other document, which he is authorised or required to make, attest, or verify by, under, or in pursuance of any public general Act of Parliament for the time being in force; or

(*c*) in any oral declaration or oral answer which he is authorised or required to make by, under, or in pursuance of any public general Act of Parliament for the time being in force,

he shall be guilty of a crime and offence and shall be liable on conviction thereof to imprisonment with or without hard labour for any term not exceeding two years, or to a fine, or to both such imprisonment and fine.

False declarations, &c. to obtain registration &c. for carrying on a vocation.

3. If any person—

(*a*) procures or attempts to procure himself to be registered on any register or roll kept under or in pursuance of any public general Act of Parliament for the time being in force of persons qualified by law to practise any vocation or calling; or

(*b*) procures or attempts to procure a certificate of the registration of any person on any such register or roll as aforesaid,

by wilfully making or producing or causing to be made or produced either verbally or in writing, any declaration, certificate, or representation, which he knows to be false or fraudulent, he shall be guilty of a crime and offence and shall be liable on conviction thereof to imprisonment for any term not exceeding twelve months, or to a fine, or to both such imprisonment and fine.

Aiders, abettors, suborners, &c.

4.—(1) Every person who aids, abets, counsels, procures, or suborns another person to commit an offence against this Act shall be liable to be proceeded against, indicted, tried and punished as if he were a principal offender.

(2) Every person who incites or attempts to procure or suborn another person to commit an offence against this Act shall be guilty of a crime and offence, and shall be liable on conviction thereof to imprisonment, or to a fine, or to both such imprisonment and fine.

Venue.

5. Where an offence against this Act is committed in any place either on sea or land outside the United Kingdom, the offender may be proceeded against, tried, and punished in any place in Scotland where he was apprehended or is in custody as if the offence had been committed in that place; and, for all purposes incidental to or consequential on the trial or punishment of the offence, it shall be deemed to have been committed in that place.

Savings.

6.—(1) Nothing in the foregoing provisions of this Act shall affect the common law relating to the crime of perjury or to any crime or offence involving falsehood, fraud or wilful imposition, or the liability of any person to be prosecuted for any such crime or offence, provided that no person shall be liable in respect of the same matter to be punished both at common law and under this Act.

(2) Where the making of a false statement is not only an offence under this Act, but also by virtue of some other Act is a corrupt practice or subjects the offender to any forfeiture or disqualification or to any penalty other than penal servitude, or imprisonment, or fine, the liability of the offender under this Act shall be in addition to and not in substitution for his liability under such other Act.

(3) Where the making of a false statement is by any other Act, whether passed before or after the commencement of this Act, made punishable on summary conviction, proceedings may be taken either under such other Act or under this Act:

Provided that, where such an offence is by any Act passed before the commencement of this Act, as originally enacted, made punishable only on summary conviction, it shall remain only so punishable.

Form of oaths, &c.

7.—(1) For the purpose of any proceedings at common law for perjury or of any proceedings for a contravention of section one of this Act—

(*a*) the forms and ceremonies used in administering an oath shall be immaterial if the court or person before whom the oath is taken has power to administer an oath for the purpose of verifying the statement in question, and if the oath has been administered in a form and with ceremonies which the person taking the oath has accepted without objection or has declared to be binding on him:

(*b*) an affirmation or declaration made in lieu of an oath by a person for the time being allowed by law to affirm or declare, instead of swearing shall be of the like effect in all respects as if it had been made on oath.

(2) In this Act—

The expression "statutory declaration" means a declaration made by virtue of the Statutory Declarations Act, 1835, or of any Act, Order in Council, rule or regulation applying or extending the provisions thereof. 5 & 6 Will.4. c. 62.

Repeals.

8. The enactments specified in the Schedule to this Act are hereby repealed, so far as they apply to Scotland, to the extent specified in the third column of that Schedule.

Short title.

9. This Act may be cited as the False Oaths (Scotland) Act, 1933.

SCHEDULE.

Section 8.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
42 Geo. 3. c. 116	The Land Tax Redemption Act, 1802.	Section one hundred and ninety-three.
48 Geo. 3. c. 110	The Herring Fishery (Scotland) Act, 1808.	Section forty-nine from "and if any person" to the end of the section.
54 Geo. 3. c. 159	The Harbours Act, 1814	Section twenty-five.
7 & 8 Geo. 4. c. 53.	The Excise Management Act, 1827.	Section thirty-one.
9 Geo. 4. c. 29	The Circuit Courts (Scotland) Act, 1828.	Section thirteen from "and "if any Quaker making "such affirmation" to "perjury are liable."
11 Geo. 4. & 1 Will. 4. c. 54.	The Fisheries (Scotland) Act, 1830.	Section three from "and if any person" to the end of the section.
2 & 3 Will. 4. c. 53.	The Army Prize Money Act, 1832.	Section forty-five. Section forty-nine from "or shall "knowingly take a false "oath" to "other military service."
3 & 4 Will. 4. c. 49.	The Quakers and Moravians Act, 1833.	Section one from "and if any such person" to "notwithstanding."
5 & 6 Will. 4. c. 62.	The Statutory Declarations Act, 1835.	Section five. Section twelve from "and all and every" to the end of the section. Section eighteen from "and if any declaration" to the end of the section. Section twenty-one.
1 & 2 Vict. c. 77	The Quakers and Moravians Act, 1838.	Section one from "and if any such person" to "are or shall be subject."
1 & 2 Vict. c. 105.	The Oaths Act, 1838	In section one, the word "either" and the words "or a witness or a deponent" and from "every such person" to the end of the section.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
3 & 4 Vict. c. 18.	The Tobacco Act, 1840	Section ten from "and if such declaration" to the end of the section.
3 & 4 Vict. c. 97.	The Railway Regulation Act, 1840.	Section four.
10 & 11 Vict. c. 14.	The Markets and Fairs Clauses Act, 1847.	Section fifty-seven.
10 & 11 Vict. c. 15.	The Gas Works Clauses Act, 1847.	Section forty-four.
10 & 11 Vict. c. 16.	The Commissioners Clauses Act, 1847.	Sections thirteen and one hundred and eight.
10 & 11 Vict. c. 17.	The Waterworks Clauses Act, 1847.	Section eighty-nine.
10 & 11 Vict. c. 27.	The Harbours Docks and Piers Clauses Act, 1847.	Section ninety-six.
11 & 12 Vict. c. 36.	The Entail (Scotland) Act, 1848.	Section six from "and any person who" to the end of the section.
15 & 16 Vict. c. 56.	The Pharmacy Act, 1852.	Section sixteen from "shall wilfully" to "under this Act or."
15 & 16 Vict. c. 57.	The Election Commissioners Act, 1852.	Section thirteen.
17 & 18 Vict. c. 80.	The Registration of Births, Deaths and Marriages (Scotland) Act, 1854.	Section sixty. Section sixty-two, from "or shall wilfully insert" to "any false certificate" and from "or shall certify" to "part thereof."
19 & 20 Vict. c. 113.	The Foreign Tribunals Evidence Act, 1856.	Section three from "and if upon such oath" to the end of the section.
21 & 22 Vict. c. 90.	The Medical Act, 1858 -	Section thirty-nine.
22 Vict. c. 20 -	The Evidence by Commission Act, 1859.	Section two.
26 & 27 Vict. c. 87.	The Trustee Savings Banks Act, 1863.	Section forty-nine from "and if upon such oath" to the end of the section.
27 & 28 Vict. c. 114.	The Improvement of Land Act, 1864.	Section five.
29 & 30 Vict. c. 62.	The Crown Lands Act, 1866.	Section twenty-nine.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
29 & 30 Vict. c. 108.	The Railway Companies Securities Act, 1866.	In section seventeen the words "on conviction "thereof on indictment "to fine or imprisonment "or" so far as relates to indictable offences under section sixteen of the said Act.
31 & 32 Vict. c. 24.	The Capital Punishment Amendment Act, 1868.	Section nine.
31 & 32 Vict. c. 45.	The Sea Fisheries Act, 1868.	Section thirty-two from "and any person who wilfully" to "guilty of perjury."
31 & 32 Vict. c. 119.	The Regulation of Railways Act, 1868.	In section eight from "any person who" to "perjury."
31 & 32 Vict. c. 121.	The Pharmacy Act, 1868	Section fourteen from "and any person who shall" to "assisting him therein."
34 & 35 Vict. c. 36.	The Pensions Commutation Act, 1871.	In section nine, the words "shall be deemed to be "guilty of a mis- "demeanour and" and the words "and to be "imprisoned for any term "not exceeding two years "with or without hard "labour."
34 & 35 Vict. c. 78.	The Regulation of Railways Act, 1871.	In section ten the words "on conviction thereof "on indictment to fine "and imprisonment or."
35 & 36 Vict. c. 93.	The Pawnbrokers Act, 1872.	Section twenty-nine from "If any person makes a declaration" to the end of the section.
36 & 37 Vict. c. 60.	The Extradition Act, 1873.	Section five from "Every person who" to "perjury."
38 & 39 Vict. c. 89.	The Public Works Loans Act, 1875.	Section forty-four from "who when examined" to "false evidence or."

Session and Chapter.	Title or Short Title.	Extent of Repeal.
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	Section thirty-six from "and any witness" to "penalties thereof."
41 & 42 Vict. c. 33.	The Dentists Act, 1878	Section thirty-five.
44 & 45 Vict. c. 62.	The Veterinary Surgeons Act, 1881.	Section eleven.
46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	In section thirty-three, subsection (7), from "and on conviction" to "perjury."
50 & 51 Vict. c. 28.	The Merchandise Marks Act, 1887.	In section eight, subsection (3), the words "on conviction on indictment to the penalties of perjury and."
50 & 51 Vict. c. 47.	The Trustee Savings Banks Act, 1887.	Subsection (5) of section two.
51 & 52 Vict. c. 46.	The Oaths Act, 1888 -	Section one from "and if any person" to the end of the section.
52 & 53 Vict. c. 10.	The Commissioners for Oaths Act, 1889.	Section seven.
54 & 55 Vict. c. 70.	The Markets and Fairs (Weighing of Cattle) Act, 1891.	In section three the words "false or."
59 & 60 Vict. c. 25.	The Friendly Societies Act, 1896.	In section eighty-seven the words "false or."
60 & 61 Vict. c. 38.	The Public Health (Scotland) Act, 1897.	Section ten from "if any person" to "penalties thereof; and."
62 & 63 Vict. c. 23.	The Anchors and Chain Cables Act, 1899.	In section thirteen the words "or (iii) make any false statement in a certificate of proof."
2 Edw. 7. c. 8 -	The Cremation Act, 1902.	In section eight, subsection (2), the words "declaration or."
6 Edw. 7. c. 40 -	The Marriage with Foreigners Act, 1906.	Subsection (2) of section one.
7 Edw. 7. c. 24 -	The Limited Partnerships Act, 1907.	Section twelve.
9 Edw. 7. c. 49	The Assurance Companies Act, 1909.	In section twenty-four the words "on conviction on indictment to fine and imprisonment or."
5 & 6 Geo. 5. c. 91.	The Midwives (Scotland) Act, 1915.	Section nineteen.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918.	Section two hundred and twenty-eight.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
13 & 14 Geo. 5. c. 10.	The Agricultural Holdings (Scotland) Act, 1923.	Subsection (4) of section sixteen.
19 & 20 Geo. 5. c. 23.	The Companies Act, 1929.	Section three hundred and sixty-three.
19 & 20 Geo. 5. c. 29.	The Government Annuities Act, 1929.	Subsection (4) of section thirty-two, subsections (3) and (4) of section sixty-two.

CHAPTER 21.

An Act to consolidate and amend the law relating to Solicitors and Notaries Public in Scotland.

[28th June 1933.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

CONSTITUTION OF GENERAL COUNCIL.

Constitution of General Council.

1. For the purpose of regulating the admission and enrolment of solicitors a council to be known as "the General Council of Solicitors in Scotland" shall be elected in accordance with the provisions of this Act.

Method of election of members of General Council.

2.—(1) The General Council shall be elected in accordance with the provisions contained in the First Schedule to this Act by the societies or groups of societies mentioned in the Second Schedule to this Act, and shall consist of persons each of whom is a member of the society or of one of the societies forming the group by whom he is elected.

(2) Subject to the provisions of this Act, the General Council shall have power from time to time by resolution passed by a majority of not less than two-thirds of the members present at a meeting of which due notice specifying the intention to propose the resolution has been given or at any adjournment thereof (*a*) to rescind, add to, or amend any of the provisions contained in the