



Municipality of Centre Hastings

Commissioner of Oaths Reference Guide

This guide outlines which documents a Municipal Commissioner of Oaths may or may not sign under the Commissioners for Taking Affidavits Act (Ontario). It serves as a practical reference for municipal staff authorized to administer oaths and declarations within the Municipality of Centre Hastings.

A Commissioner of Oaths is authorized under the Commissioners for Taking Affidavits Act to administer oaths and take affidavits. This role is distinct from that of a Notary Public, who has broader authority to verify, witness, and certify documents for use in or outside Ontario. Documents requiring notarization must be referred to a lawyer or Notary Public.

1. General Guide and Procedures

- Commissioners of Oaths may administer oaths and take affidavits for matters within the Municipality's jurisdiction.
- Commissioners cannot certify true copies unless they are the Clerk or Deputy Clerk.
- The person signing must be physically present and provide valid government-issued photo identification.
- Commissioners must refuse service where a conflict of interest exists (personal, financial, or employment-related).
- Documents intended for use outside Ontario or that require notarization will not be signed.
- Remote or electronic witnessing is not permitted under this authority.
- Commissioners cannot sign documents that require the Commissioner to have personal knowledge of the individual for a defined period (e.g., Passport Guarantor forms).
- Municipal Commissioners are authorized to administer oaths and declarations within Ontario. The commissioning must occur in the Province of Ontario, in the physical presence of the Commissioner. Documents intended for use outside Ontario may be signed, provided the receiving organization accepts a Commissioner of Oaths signature in place of notarization.
- Commissioners of Oaths are not general witnesses and do not verify the truth of statements only that an oath or declaration was properly administered.
- Municipal staff may refuse to commission a document that does not meet the criteria in this guide.

2. Definitions

- *Affirmation*: A solemn declaration made by an individual who conscientiously objects to taking an oath; it has the same legal effect as an oath
- *Commissioner of Oaths*: An individual appointed under the Commissioners for Taking Affidavits Act (Ontario) to administer oaths and take affidavits within their authorized jurisdiction.
- *Affidavit*: A written statement of fact that is sworn or affirmed before a Commissioner of Oaths or Notary Public.
- *Statutory Declaration*: A formal statement declared to be true, used when an oath is not required.
- *Notary Public*: A person with broader authority to witness, certify, and notarize documents for use both inside and outside Ontario.

3. Documents the Municipality WILL Sign CAN Commission Document Type / Example	Notes / Conditions
Municipal documents (by-laws, planning, licensing, property, etc.)	Must relate to matters within the Municipality of Centre Hastings.
Domestic & Foreign Pension Documents (Proof of Life)	Attests that a person is alive and residing in Ontario. Note: Foreign pension ‘Proof of Life’ forms are accepted when the applicant appears in person before the Commissioner within Ontario and provides valid identification. The Commissioner’s signature attests only to the person’s presence and identity — not to the foreign institution’s requirements.
Statement of Conscience or Religious Belief (Immunization Exemption)	Under the <i>Immunization of School Pupils Act</i> .
Statutory Declaration of Apprenticeship Hours	Used for apprenticeship verification.
Delayed Statement of Live Birth	Must be completed by applicant with valid ID.
Statutory Declaration of Lost/Stolen Cheque	GST/HST, Federal, Provincial, or Bank related.
Statutory Declaration of Lost/Stolen/Counterfeit Bank Card	Applicant must provide incident details.
Statutory Declaration of Lost Identification	Must include police report number.
Affidavit of Lost/Stolen or Damaged Passport	Applicant must confirm loss details.
Statutory Declaration for Change of Sex Designation on Birth Registration	Adult applicant only.
Statutory Declaration to Change an Adult’s Name	Applicant must attach required Service Ontario form.
Election to Change Name of Child under age 12	Service Ontario form required.
Consent or Travel Letters for children travelling out of country	For minor children only; both parents’ signatures recommended.
Declaration Affirming Parentage	Used to confirm parentage relationships.
Statutory Declaration for OSAP (Common Law Status / Supporting Children)	Educational financial declarations.
Affidavit or Statutory Declaration of Common-Law Status	For benefit or administrative purposes.
Affidavit or Statutory Declaration of Single Status	For verification of marital status.
Affidavit of Unregistered Vehicle (boats, motorcycles, snowmobiles, trailers, etc.)	Ownership declaration.
Affidavit for a Family Gift of a Used Motor Vehicle	For vehicle transfer to family member.

3. Documents the Municipality WILL Sign CAN Commission Document Type / Example	Notes / Conditions
Affidavit of Proof of Loss of Motor Vehicle or Boat	Usually from insurance company request.
Sworn Statement for a Used Vehicle Transfer (Form 1155E)	Province of Ontario form.
Statutory Declaration for Motor Vehicle Dealers Compensation Fund	Per OMVIC process.
Construction Act documents for progress or completion	Must relate to work within municipal limits.
Statutory Declaration of Progress Payment / Holdback Security – Construction Act (Subcontractors)	The Commissioner may commission these declarations provided the service is limited to administering an oath or affirmation. The Commissioner must not provide legal advice, interpret the Construction Act, confirm contract details, or verify holdback/payment amounts. The declarant must understand the document and sign voluntarily.
Certified True Copies	Clerk and Deputy Clerk ONLY may complete this service, and only for documents issued by or held in the custody of the Municipality of Centre Hastings, or where certification is required to support an official municipal process. The Municipality cannot certify personal identification, vital records, or documents issued by external organizations or government agencies (e.g., birth certificates, passports, driver's licences, bank statements, diplomas, or immigration papers). Individuals requiring certification of such documents must contact a Notary Public or the issuing authority.
Ontario Land Transfer Tax Refund Affidavit	Applicant must complete prescribed form.
Affidavit from Ontario Rental Housing Tribunal	If related to municipal or local housing matters.
Affidavit for Private Investigator or Security Guard Licence	As per Ministry of the Solicitor General form.
Amendment to Birth, Death, or Marriage Certificate forms	Must be official provincial forms completed by the applicant.
Affidavit of Proof of Residency	Requires municipal or utility documentation verifying address.
Travel Industry Council of Ontario – Affidavit of Customer Claimant	For travel-related refund or reimbursement claims.

4. Documents the Municipality WILL NOT Sign CANNOT Commission Document Type / Example	Reason / Notes
Wills, Living Wills, Codicils (amendments) to Wills	Requires legal or notarial authority.
Powers of Attorney	Requires legal or notarial authority.
Divorce, Separation, Marriage, or Cohabitation documents	Family law matter – outside municipal authority.
Custody documents	Must be handled by courts or lawyers.
Documents related to debt	Private civil matter.
Real Estate documents (mortgages, statements, transfer of land)	Requires notarial authority.
Estate Settlement documents	Not within municipal scope.
Court, Legal, or Civil issue documents	Legal proceedings require lawyer or notary.
Certified True Copies (except by Clerk/Deputy Clerk for municipal records)	Regular Commissioners cannot certify documents; certification of municipal records only by Clerk or Deputy Clerk.
Finance or Banking documents (RRSP, investments, etc.)	Private financial documents.
Declaration of a Translator	Must be certified by a translator or notary.
Age of Majority / BYID Applications	Not an affidavit or statutory declaration.
Tender or bid submissions	Procurement documents must follow formal process.
Declaration of Claimant or Indemnity	Insurance/legal matter – outside municipal scope.
Declaration of Replacement of Shares	Corporate/private document.
Documents not in English or lacking English descriptors	Commissioner must fully understand content before signing.
Statement of Arrears	Financial or legal matter outside municipal authority.
Documents requiring a Notary Public's signature (Canadian or Foreign)	Must be notarized; beyond Commissioner of Oaths authority.

5. Service Information

- Service available by appointment or during regular business hours as determined by the Municipality.
- Government-issued photo ID required from all individuals signing.
- Commissioners may refuse any document not meeting policy requirements.
- Fees apply per the Municipality’s Fees and Charges By-law.
- Remote or electronic witnessing is not permitted.
- There is no guarantee that a document will be commissioned until it has been reviewed by the Commissioner of Oaths. Documents may be refused at the Commissioner’s discretion if they fall outside the Municipality’s authority or are incomplete.
- Commissioners must review the entire document before signing to ensure all sections are complete. Blank or incomplete forms will not be commissioned.
- Commissioners of Oaths cannot provide legal advice or interpret the contents of a document. Individuals should seek legal counsel if unsure about the information being sworn or declared.

6. Sources and Acknowledgements

This reference guide was developed using best practices and procedural standards from comparable Ontario municipalities. It reflects a harmonized approach to municipal commissioning services and has been customized for use by the Municipality of Centre Hastings.

Schedule A - Mayor’s Authority as Commissioner of Oaths

This Schedule forms part of the Municipality of Centre Hastings Commissioner of Oaths Reference Guide and outlines the authority, responsibilities, and limitations of the Mayor as Commissioner for Taking Affidavits by virtue of office.

Under section 223 of the *Municipal Act, 2001* and section 4(1) of the *Commissioners for Taking Affidavits Act* (R.S.O. 1990, c. C.17), the Mayor of the Municipality of Centre Hastings is a Commissioner for Taking Affidavits by virtue of office.

This authority permits the Mayor to administer oaths, affirmations, and statutory declarations within the Province of Ontario for matters connected to the municipality or presented by the public.

The Mayor’s commissioning authority does not include notarizing documents, certifying true copies of records, or providing legal advice. All commissioning must occur in person in Ontario, with proper identification verified, and in accordance with municipal procedures.

Documents the Mayor CAN Commission

MAYOR CAN SIGN	
Document Type / Example	Notes / Conditions
Municipal documents (by-laws, planning, licensing, property, etc.)	Must relate to matters within the Municipality of Centre Hastings.
Domestic & Foreign Pension Documents (Proof of Life)	Attests that a person is alive and residing in Ontario. Note: Foreign pension ‘Proof of Life’ forms are accepted when the applicant appears in person before the Mayor within Ontario and provides valid identification. The Mayor’s signature attests only to the person’s presence and identity — not to the foreign institution’s requirements.
Statement of Conscience or Religious Belief (Immunization Exemption)	Under the <i>Immunization of School Pupils Act</i> .
Statutory Declaration of Apprenticeship Hours	For apprenticeship verification or trade licensing.
Delayed Statement of Live Birth	Must be completed by the applicant with valid ID.
Statutory Declaration of Lost/Stolen Cheque	GST/HST, Federal, Provincial, or Bank-related.
Statutory Declaration of Lost/Stolen/Counterfeit Bank Card	Applicant must provide incident details.
Statutory Declaration of Lost Identification	Police report number must be included.
Affidavit of Lost/Stolen or Damaged Passport	Applicant must confirm loss details.
Statutory Declaration for Change of Sex Designation on Birth Registration	Adult applicant only.
Statutory Declaration to Change an Adult’s Name	Applicant must attach required Service Ontario form.
Election to Change Name of Child under 12	Service Ontario form required.

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Consent or Travel Letters for children travelling out of country	For minor children only.
Declaration Affirming Parentage	Used to confirm parentage relationships.
Statutory Declaration for OSAP (Common Law Status/Supporting Children)	Educational financial declarations.
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Documents related to debt	Private civil matter.
Real Estate documents (mortgages, statements, transfer of land)	Requires notarial authority.
Estate Settlement documents	Not within municipal scope.
Court, Legal, or Civil issue documents	Legal proceedings require lawyer or notary.
Certified True Copies (except municipal records certified by Clerk/Deputy Clerk)	The Mayor cannot certify any true copies; this function is reserved for the Clerk/Deputy Clerk for municipal records only.
Finance or Banking documents (RRSP, investments, etc.)	Private financial documents.
Declaration of a Translator	Must be certified by a translator or notary.
Age of Majority / BYID Applications	Not an affidavit or statutory declaration.
Tender or bid submissions	Procurement documents must follow formal process.
Declaration of Claimant or Indemnity	Insurance/legal matter – outside municipal scope.
Declaration of Replacement of Shares	Corporate/private document.
Statutory Declaration of Progress Payment Holdback Security Deposits (Subcontractors)	Construction Act – not municipal scope.
Documents not in English or lacking English descriptors	The Mayor must fully understand content before signing.
Statement of Arrears	Financial or legal matter outside municipal authority.
Documents requiring a Notary Public’s signature (Canadian or Foreign)	Must be notarized; beyond Commissioner of Oaths authority.