



SOUTH COAST BRITISH COLUMBIA
TRANSPORTATION AUTHORITY
POLICE SERVICE

COMMISSIONER FOR TAKING OATHS AND AFFIDAVITS

Effective Date: May 11, 2009

Revised:

POLICY

1. Pursuant to the *BC EVIDENCE ACT*, police officers in the Province of British Columbia are allowed to act as Commissioners for Taking Oaths/Affidavits for the purpose of exercising the powers and performing the duties of their office. This includes: (a) members of the Royal Canadian Mounted Police who are peace officers and are located in British Columbia; (b) designated constables, provincial constables and municipal constables as defined in the *Police Act*, and (c) other individuals or classes of individuals who are officers as defined in the *Police Act* and who are designated by regulation of the Attorney General for the purposes of section 60.1 of the *Evidence Act*.
2. As Designated Constables under the *Police Act*, the Members of the South Coast British Columbia Transportation Authority Police Service (SCBCTAPS) are allowed to act as a Commissioner for Taking Oaths/Affidavits.

REASON FOR POLICY

3. To assist Members in understanding the responsibilities and limitations of a police officer when acting in the capacity of a Commissioner for Taking Oaths/Affidavits.
4. For Members to recognize that being a Commissioner for Taking Oaths/Affidavits is a solemn duty.

PROCEDURES

5. Members acting as a Commissioner for Taking Oaths/Affidavits will act only in matters connected to the official business of SCBCTAPS (e.g., Promise to Appear, Undertakings, Form 9 Appearance Notice, Provincial Appearance Notice, swearing in police officers, taking of KGB statements, FOI affidavits).
6. Members will not act as their own Commissioner for Taking Oaths/Affidavits nor will they exercise this role for any matters (e.g., real estate documents, family court documents) not arising from their police duties.
7. Police Officers hold the status of Commissioner for Taking Oaths/Affidavits in British Columbia only as long as they remain police officers. Accordingly, this status will cease upon a Member's resignation, termination, or retirement from the SCBCTAPS.

8. A SCBCTAPS Member under suspension will not exercise the privilege to act as a Commissioner for Taking Oaths/Affidavits.
9. When swearing or affirming documents as a Commissioner for Taking Oaths/Affidavits, the Member will:
 1. legibly print or stamp their name next to or below the signatures;
 2. legibly stamp the words "Police Officer" immediately next to, or below, where they have printed or stamped their name; and
 3. administer the oath or affirmation in accordance with these guidelines:
 - a. confirm the identity of the person swearing/affirming the document and if the Member does not know the person, examine the person's picture identification, confirm identity and make notes of these observations; and
 - b. witness the signature of the person (the document shouldn't be signed until the signatory is before the Commissioner).
10. Members will not take a fee for any service connected with their status as a Commissioner for Taking Oaths/Affidavits.