

**THE DIPLOMATIC AND CONSULAR OFFICERS
(OATHS AND FEES) ACT, 1948**

ACT NO. XXI OF 1948

[8th January, 1949]

An Act to provide for the administration of oaths by diplomatic and consular officers and to prescribe the fees leviable in respect of certain of their official duties.*

WHEREAS it is expedient to provide for the administration of oaths by diplomatic and consular officers and for the levy of fees in respect of certain official duties performed by them;

It is hereby enacted as follows:-

1. (1) This Act may be called the Diplomatic and Consular Officers (Oaths and fees) Act, 1948. Short title and commencement

(2) It shall come into force at once, and shall be deemed to have taken effect from the fifteenth day of August, 1947.

2. In this Act, unless there is anything repugnant in the subject or context- Definitions

(a) “consular officer” includes consul, consular agent, consul-general, honorary consul, pro-consul and vice-consul; and

(b) “diplomatic officer” includes ambassador, agent, agent-general, assistant high commissioner, attaché of a diplomatic mission, charge d'affaires, commissioner, counsellor, deputy high commissioner, diplomatic secretary, high commissioner and minister.

3. (1) Every diplomatic or consular officer of Bangladesh exercising his functions in any foreign country or place, or any such diplomatic or consular officer of a foreign country as is in writing authorised in this behalf by the Government in relation Powers as to oaths and notarial acts abroad

* Throughout this Act, the words “Bangladesh”, “Government” and “Tk.” were substituted for the words “Pakistan”, “Central Government” and “Rs.” respectively by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

to any foreign country or place, may in that country or place administer any oath or affirmation and take any affidavit and also do any notarial act which any notary public may do within the territories of Bangladesh, and every such oath, affirmation, affidavit and notarial act administered, sworn or done by or before any such person shall be as effectual as if duly administered, sworn or done by or before any lawful authority in any part of Bangladesh.

(2) Any document purporting to have affixed, impressed, or subscribed thereon or thereto the seal and signature of any person authorised by this section to administer an oath in testimony of any oath, affirmation, affidavit, or act being administered, sworn or done by or before him, shall be admitted in evidence without proof of the seal or signature being the seal or signature of that person, or of the official character of that person.

Power to fix fees

4. (1) The Government shall have power to fix tables of fees to be charged in respect of any act done in the execution of his office by a consular officer or by a diplomatic officer entrusted with consular duties, and to make regulations in accordance with which fees shall be levied, accounted for and applied or may be remitted.

(2) Tables of any fees so fixed and any regulations so made shall be published in the *official Gazette*.

Exhibition of tables of fees

5. (1) Tables of the fees mentioned in the preceding section shall be exhibited prominently at every customs port, land customs station and customs aerodrome.

(2) Every consular officer and diplomatic officer entrusted with consular functions shall exhibit the aforesaid tables of fees in his office prominently and shall permit them to be inspected by any person wishing to do so.

Penalty for taking excessive fees

6. No consular officer or diplomatic officer entrusted with consular duties shall, save as may be provided in the aforesaid regulations, ask for or take any fee or reward for any act done in the execution of his office, and if he does so he shall, without prejudice to any other liability, be punishable for every such offence with fine which may extend to Tk. 3,000.

7. (1) Whoever swears falsely in any oath or affidavit taken or made in accordance with the provisions of this Act shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Punishment for
offences under
this Act

(2) Whoever forges or fraudulently alters the seal or signature of any person authorised by or under this Act to administer an oath or tenders in evidence, or otherwise uses, any affidavit having any seal or signature so forged or counterfeited or fraudulently altered knowing the same to be forged, counterfeited or fraudulently altered, shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

¹[**8.** No Court shall take cognizance of an offence under this Act with which any consular officer or diplomatic officer is charged except upon complaint in writing made by a person authorised in this behalf by general or special order of the Government.]

Bar on taking
cognizance of
offence

¹ Section 8 was substituted by section 3 and the second schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).