

## CHAPTER 28

### PROMISSORY OATHS

1870-1

This Act came into operation on 5th August, 1870.

#### **Amended by:**

*1961-28*

*1978-39*

*1964-15*

*1967/168*

#### **Law Revision Orders**

*The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:*

1985

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#### **Guide to symbols in historical notes:**

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument



## CHAPTER 28

### PROMISSORY OATHS 1870-1

#### *Arrangement of Sections*

1. Short title
2. Official oath
3. Administration of oaths
4. Oaths to be taken by magistrates and Justices of the Peace
5. Penalty for neglecting to take oaths
6. Oath for Privy Councillors
7. Affirmations
8. Declarations
9. Penalty in default of declaration





be appointed by the Governor-General to administer them either generally or in any particular case.

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[1967/168]

### **Oaths to be taken by magistrates and Justices of the Peace**

**4.** The oath of allegiance and judicial oath shall be taken as soon as may be after his acceptance of office by each of the following officers, namely magistrates and Justices of the Peace.

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[1961-28]

### **Penalty for neglecting to take oaths**

**5.** If any officer declines or neglects, when any oath required to be taken by him under this Act is duly tendered, to take such oath, he shall, if he has already entered on his office, vacate the same, and if he has not entered on the same, be disqualified from entering on the same, but no person shall be compelled in respect of the same appointment to the same office to take such oath or such affirmation as hereinafter mentioned more times than one.

### **Oath for Privy Councillors**

**6.** In addition to the oath of allegiance the following oath shall be taken by all members of the Privy Council—

“ I as a member of the Privy Council of this Island, do swear that I will to the best of my judgment, at all times when thereto required, freely give my counsel and advice as a Privy Councillor to the Governor-General, for the good management of the public affairs of this Island; that I will not directly or indirectly reveal such matters as shall be debated or discussed in Privy Council, and committed to my secrecy, but that I will in all things be a true and faithful Privy Councillor. So help me God.”

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[1961-28; 1967/168]

**Affirmations**

7. When an oath is required to be taken under the Constitution or under this Act, every person for the time being by law\* permitted to make solemn affirmation or declaration instead of taking an oath may, instead of taking such oath, make a solemn affirmation in the form of the oath, substituting the words, “solemnly, sincerely, and truly declare and affirm” for the word “swear”, and omitting the words “So help me God.”

*\*[See Evidence Act, Cap. 121, sections 30 and 31.]*

**Declarations**

8.(1) Where in any case not otherwise provided for by the Constitution or by this Act an oath is required to be taken by any person on or as a condition of his accepting any employment or office, a declaration shall be substituted for such oath to the like effect in all respects as such oath.

(2) The making a declaration in pursuance of this section shall in all respects have the same effect as the taking of the oath for which such declaration is substituted would have had if this Act had not been passed.

**Penalty in default of declaration**

9. If any person required by this Act to make a declaration instead of an oath declines or neglects to make such declaration, he shall be subject to the same penalties and disabilities, if any, as he would have been subjected to for declining or neglecting to take the oath for which the declaration provided by this Act is substituted.