

CHAPTER 7. No. 11.

PROMISSORY OATHS.

AN ORDINANCE RELATING TO PROMISSORY OATHS.

Ordinances.
Cap. 78—1925.
No. 6—1937.
„ 14—1939,
s. 34.
Commencement.

[17th December, 1917.]

1. This Ordinance may be cited as the Promissory Oaths Ordinance. Short title.

2. The oath in this Ordinance referred to as the oath of allegiance shall be in the form following, that is to say:— Oath of allegiance.

I, do swear that I will be faithful and bear true allegiance to His Majesty King George, his heirs and successors, according to law. So help me God.

3. The oath in this Ordinance referred to as the official oath shall be in the form following, that is to say:— Official oath.

I, do swear that I will well and truly serve His Majesty King George in the office of . So help me God.

4. The oath in this Ordinance referred to as the judicial oath shall be in the form following, that is to say:— Judicial oath.

I, do swear that I will well and truly serve Our Sovereign Lord King George in the office of and I will do right to all manner of people after the laws and usages of this Colony, without fear or favour, affection or ill-will. So help me God.

5. The oath in this Ordinance referred to as the oath of an Executive Councillor shall be in the form following, that is to say:— Oath of Executive Councillor.

I, being chosen and admitted of His Majesty's Executive Council in the Colony of Trinidad and Tobago, do swear that I will, to the best of my judgment at all times when thereto required, freely

give my counsel and advice to the Governor or officer administering the Government for the time being, for the good management of the public affairs of the Colony; that I will not directly nor indirectly reveal such matters as shall be debated in Council and committed to my secrecy, but that I will in all things be a true and faithful councillor. So help me God.

By whom
oath of
allegiance
and official
oath shall be
taken.

6. The oath of allegiance and the official oath shall be tendered to and taken by each of the superior executive officers as soon as may be after his acceptance of office.

Ord. 6—1937,
s. 2.

By whom
oath of
allegiance and
judicial oath
shall be
taken.

7. The oath of allegiance and judicial oath shall be taken by the Chief Justice, and every Judge, Magistrate, and Justice, as soon as may be after his acceptance of office.

By whom
oath of
Executive
Councillor
shall be
taken.

8. The oath of an Executive Councillor shall be taken by every member of the Executive Council, as soon as may be after his acceptance of office.

Before whom
oath to be
taken by
Judges.

9. (1) The oaths required to be taken by Judges of the Supreme Court shall be taken before the Governor, who shall attest the same.

Cap. 78—1925,
ss. 10, 11
and 13.

Members of
Executive
Council.

(2) The oaths required to be taken on appointment to the Executive Council, or to any office the holder of which is by law a member of such Council, shall be taken before such Council, and the Governor shall attest the same.

Other official
persons.

(3) Any oath of office required to be taken by any other person in the public service of the Colony shall be taken before the Governor or before such other person as the Governor may in any case direct in writing under his hand. And the person before whom such oath is taken shall attest the same.

Neglect or
refusal to
take oaths.

Cap. 78—1925,
s. 14.

10. If any officer declines or neglects, when any oath required to be taken by him under this Ordinance 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 more times than one.

11. (1) When any person is appointed to act in any office or capacity in the place and during the absence of any officer or person, he shall not be required to take any oath on the occasion of such appointment, unless the oath required to be taken in respect of such appointment is different from or in addition to any oath already taken by him and duly recorded in respect of any previous appointment, permanent or temporary.

Unnecessary repetition of oaths.
Cap. 78-1925, ss. 15-16.

(2) No person who has on any occasion taken the oath of allegiance, which oath has been duly recorded, shall be required to repeat the same oath on appointment to any office or on any other occasion.

Ord. 6-1937, s. 3.

12. Every official oath shall be recorded in some book to be kept for the purpose, by the signature of the person taking such oath, with the attestation of the person before whom the same is taken; and such book shall be conclusive evidence, for all purposes, of any oath therein recorded having been duly taken and recorded.

Record of official oaths.
Cap. 78-1925, s. 17.

13. Where, in any oath under this Ordinance, the name of His present Majesty is expressed, the name of the Sovereign of the United Kingdom for the time being shall be substituted from time to time.

Name of reigning Sovereign to be used in oath.
Cap. 78-1925 s. 18.

14. When an oath is required to be taken under this Ordinance, every person for the time being by law permitted to make a 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 hereby appointed, substituting the words "solemnly, sincerely, and truly declare and affirm" for the word "swear"; and omitting the words "So help me God."

Provision in favour of persons permitted to affirm.
Cap. 78-1925, s. 19.

15. If any person required by this Ordinance 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 Ordinance is substituted.

Penalty on refusing to make declaration.
Cap. 78-1925, s. 21.

Not to affect
matters
herein stated.
Cap. 78-1925,
s. 22.

16. Nothing in this Ordinance contained shall affect—

(a) any oath required or authorised by Ordinance to be taken or made for the purpose of attesting any fact or verifying any account or document; or

(b) any oath required to be taken by any juror, witness, or other person in pursuance of any Ordinance or custom as preliminary to or in the course of any civil, criminal, or other trial, inquest, or proceedings of a judicial nature, including any arbitration.

Case in which
a declaration
that has been
substituted
for an oath
under this
Ordinance
may be
altered.

Cap. 78-1925,
s. 23.

17. Where a declaration has been substituted for an oath under this Ordinance, any person, guild, body corporate, or society, which before the commencement of this Ordinance had the power to alter such oath, or to substitute another oath in its place, may exercise a like power with regard to such declaration.