

OATHS OF OFFICE ACT

CHAPTER 7:03

Act

33 of 1917

Amended by

6 of 1937

14 of 1939

10 of 1956

136/1976

*47 of 1980

*See Note on page 2

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note on Act No. 47 of 1980

See Schedule B to Act No. 47 of 1980 (at page 443 of the 1980 Annual Volume of Acts and Subsidiary Legislation of Trinidad and Tobago) for amendments made to this Act [formerly known as the Promissory Oaths Ordinance, Ch. 7 No. 11 —(1950 Ed.) before it was revised].

Note on Transferred Provisions

Sections 2 to 6, section 7 (in so far as it relates to the Chief Justice, to Judges and Magistrates) and section 8 of the Promissory Oaths Ordinance Ch. 7 No. 11 (1950 Ed.) have been omitted as superfluous since these provisions are now duplicated in the Constitution and the various Public Service Acts.

Section 7 (in so far as it relates to Justices of the Peace) has been transferred to Summary Courts Act (Ch. 4:20) as section 4(4).

CHAPTER 7:03

OATHS OF OFFICE ACT

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 7:03

OATHS OF OFFICE ACT

An Act relating to Oaths of Office.

1950 Ed.
Ch.7 No. 11.

33 of 1917.

Commencement.

[17TH DECEMBER 1917]

Short title.

1. This Act may be cited as the Oaths of Office Act.

Before whom
oaths to be
taken.

2. (1) The oaths required to be taken by Judges of the Supreme Court and by members of the Cabinet shall be taken before the President.

(2) Subject to any provision to the contrary in any other written law, any oath of office required to be taken by any person in the public service of Trinidad and Tobago shall be taken before the President or before such other person as the President may in any case in writing direct.

Neglect or
refusal to take
oaths.

3. If any officer declines or neglects to take such oath when any oath required to be taken by him under any written law is duly tendered, 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 than once.

Unnecessary
repetition of
oaths.

4. (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.

(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.

5. Every oath of office 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 oaths
of office.

6. Nothing contained in this Act shall affect—

Act does not
affect matters
herein specified.

- (a) any oath required or authorised by any written law 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 written law 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.