

TRINIDAD AND TOBAGO.

Oaths.

No. 25.—1902.

28th July.

AN ORDINANCE to amend the Law as to Oaths.

[L.S.]

C. C. KNOLLYS,

ACTING GOVERNOR.

21st October, 1902.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

Short title. 1. This Ordinance may be cited as the Oaths Ordinance, 1902.

Oaths may be administered in customary form. 2. Every person may be sworn to any oath affidavit or deposition or for any purpose for which an oath is required by law, in the manner and form heretofore in use according to the religious belief or profession to which such person claims to adhere. Provided that official oaths shall be taken and recorded in accordance with the provisions hereof.

When affirmation may be made instead of oath. 3. Every person upon objecting to being sworn and stating as the ground of such objection either that he has no religious belief or that the taking of an oath is contrary to his religious belief shall be permitted to make his solemn affirmation instead of taking an oath, in all places and for all purposes where an oath is or shall be required by law, which affirmation shall be of the same force and effect as

if he had taken the oath ; and if any person making such affirmation shall wilfully, falsely and corruptly affirm any matter or thing which, if deposed on oath, would have amounted to wilful and corrupt perjury, he shall be liable to prosecution, indictment, sentence, and punishment, in all respects as if he had committed wilful and corrupt perjury.

4. Every such affirmation shall commence as follows :— Form of oral affirmation.
 “I, A.B., do solemnly, sincerely, and truly declare and affirm,” and then proceed with the words of the oath prescribed by law, omitting any words of imprecation or calling to witness.

5. Every affirmation in writing shall commence “I, Form of affirmation in writing.
 , of , do solemnly affirm,” and the form in lieu of jurat shall be “affirmed at
 this day of , 190 , before me.”

6. If any person to whom an oath is administered desires Swearing with uplifted hand.
 to swear with uplifted hand, he shall be permitted to do so ; and in such case such person shall himself repeat the words of the oath, which shall be as follows : “I, A.B., swear by Almighty God” ; then proceeding with the remaining words of the oath in the customary form ; but omitting the words “So help me God”. Both the person administering and the person taking the oath in this form shall stand while it is administered. A person sworn in this manner shall not be required to kiss any Testament or other book or to take it into his hand. For all purposes an oath taken in form pursuant to this section shall be deemed valid binding and effectual in all respects, including any liability to conviction for perjury in respect of any false and corrupt misstatement made by the person sworn.

7. Every official oath shall be recorded in some book Record of official oaths.
 to be kept for the purpose as heretofore, 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 as having been duly taken and recorded. And every attested entry of an oath heretofore made in any book heretofore in use for the purpose shall be deemed to have been made in accordance with the provisions hereof.

- 8.** The oath to be taken by the Governor shall be taken in such manner as is or from time to time may be directed by Royal Letters patent constituting the office of Governor of the Colony, and subject as therein provided shall be attested by the Chief Justice or a Judge of the Supreme Court.
- 9.** 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.
- 10.** The Oath of Allegiance shall be taken by members of the Legislative Council in the presence of the Council, and no other oath shall be required in addition thereto. The President of the Council shall attest the same.
- 11.** The oaths required to be taken by Judges of the Supreme Court shall be taken before the Governor, who shall attest the same.
- 12.** 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.
- 13.** 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.
- 14.** 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 as a member of the Legislative Council or temporary member thereof, or on any other occasion save and except the demise of the Crown.

Governor's
oath.

Members of
Executive
Council.

Members of
Legislative
Council.

Judges.

Other official
persons.

Unnecessary
repetition of
oaths.

Idem, as to
oath of
allegiance.

15. The Ordinance 25 of 1869 shall be read as amended by the omission from the 6th, 7th, 8th and 9th sections thereof of reference to the Schedule thereto: and any such sections respectively shall be deemed instead to have reference to the provisions hereof applicable to the cases in such sections respectively indicated.

Construction
of promissory
Oaths
Ordinance.

16. The 10th section of the said Ordinance 25 of 1869 and also the schedule to the said Ordinance and also the 6th section of the Evidence Amendment Ordinance, 1872, are hereby repealed; and in all Ordinances, all sections and provisions relating to any oath shall be read as if the same had been enacted with reference to oaths to be taken in accordance with the provisions hereof, or solemn affirmations under the third section hereof in lieu of oaths, as the case may be.

Repeal and
construction
of other
enactments.

Passed in Council this Twenty-eighth day of July, in the year of Our Lord one thousand nine hundred and two.

C. J. ROOKS,

Clerk of the Council.