

THE LAWS

OF

TRINIDAD AND TOBAGO.

TITLE IV.

PUBLIC OFFICERS.

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CHAPTER 78.

PROMISSORY OATHS.

AN ORDINANCE RELATING TO PROMISSORY OATHS.

Ordinance
No. 33 of 1917.

[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.

11. 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.

Members of
Executive
Council.

12. 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.

Members of
Legislative
Council.

13. 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.

Other official
Persons.

14. 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.

Neglect or
refusal to
take oaths.

15. 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.

16. 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.

Idem, as to
oaths of
allegiance.

Record of
official oaths.

17. 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.

Name of
reigning
Sovereign to
be used in
oath.

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

Provision in
favour of
persons
permitted to
affirm.

19. 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."

Regulations
with respect
to the substi-
tution of
declarations
for oaths.

20. The following regulations shall be enacted with respect to the substitution of declarations for oaths, that is to say:—

- (1) Where, before the commencement of this Ordinance, an oath was required to be taken by any person on or as a condition of accepting any office in or under a municipal corporation, or on or as a condition of admission to membership in or participation in the privileges of any municipal corporation, there shall be substituted for such oath, in the case of an office, a declaration that the declarant will faithfully perform the duties of his office; and in the case of admission to membership or participation in the privileges of a municipal corporation, a declaration that the declarant will faithfully demean himself as a member of or participator in the privileges of such corporation;
- (2) Where, in any case not otherwise provided for by this Ordinance or included within the saving clauses thereof, 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;

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

21. 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.

22. Nothing in this Ordinance contained shall affect—

Not to affect matters herein stated.

- (1) any oath required or authorized by Ordinance to be taken or made for the purpose of attesting any fact or verifying any account or document;
or
- (2) 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.

23. 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.

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