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**THE OATHS LAW
CHAPTER 112**



Section 11.

SCHEDULE

FIRST PART

Administrator
Auditor of Public Accounts
Collector of Customs
Chief of Police
Treasurer
Postmaster

To be taken before Executive Council.

To be taken before the Administrator upon entering on office.

Section 12.

SECOND PART

Judge of the Grand Court
Stipendiary Magistrate
Justice of the Peace

Before the Administrator.
Before the Administrator or before such person as the Administrator may appoint.
Before such person as the Administrator may appoint.

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THE OATHS LAW

ARRANGEMENT OF SECTIONS

1. Short title.

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- 2. Interpretation.
- 3. Manner of administration of oaths.
- 4. Want of religious belief not to affect oath.
- 5. Oath in Scotch form.
- 6. Substitution of affirmations for oaths in certain cases.

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- 7. Form of oath of allegiance.
- 8. Form of official oath.
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- 11. Provision as to officers named in First Part of Schedule.
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- 15. Form of oath of allegiance substituted for the oaths heretofore made.
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- 18. Justice of Peace need not take oath more than once during the same reign.
- 19. Affirmation or declaration instead of oath.
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PART III. Unlawful Oaths

- 21. Oath binding to commit treason, arson or murder.
- 22. Oath binding to engage in sedition, etc.
- 23. Compulsion not to justify unless information given.
- 24. Aiders and abettors.

the administering thereof shall be deemed a principal offender, and shall be tried as such, and, on conviction thereof by due course of law, be liable to be kept in penal servitude for the term of his natural life, or for such term of years as the Court before which he shall be tried shall adjudge, although the person or persons who actually administered such oath or engagement, if any such there shall be, shall not have been tried or convicted.

25. It shall not be necessary in any indictment against any person administering, or causing to be administered or taken, or taking, any such oath or engagement as aforesaid, or aiding or assisting at, or present and consenting to the administering or taking thereof, to set forth the words of such oath or engagement, and it shall be sufficient to set forth the purport of such oath or engagement, or some material part thereof.

26. Any engagement or obligation whatsoever in the nature of an oath, purporting or intending to bind the person taking the same to commit any treason, arson, or murder shall be deemed an oath within the intent and meaning of this Law, in whatever form or manner the same shall be administered or taken, and whether the same shall be actually administered by any person or persons to any other person or persons, or taken by any other person or persons, without any administration thereof by any other person or persons.

27. Any person who shall be tried and acquitted, or convicted, of any offence against this Part, shall not be liable to be indicted, prosecuted, or tried again for the same offence or fact as high treason, or misprision of high treason, and nothing in this Part contained shall be construed to extend to prohibit any person guilty of any offence against this Part from being tried for the same as high treason, or misprision of high treason, in such manner as if this Part had not been made.

Indictment
for offence
against Law.

What to be
deemed an
oath.

Persons tried
under this
Part of this
Law.

- 25. Indictment for offence against Law.
- 26. What to be deemed an oath.
- 27. Persons tried under this Law.

SCHEDULE

adjudge.

or murder, shall on conviction thereof by due course of law, be liable to be kept in penal servitude for the term of his natural life, or for such term of years as the Court before which he shall be tried shall

22. Every person who shall, in any manner or form whatsoever, administer, or cause to be administered, or be aiding or assisting at, or present at and consenting to the administering or taking of, any oath or engagement, purporting or intended to bind the person taking the same to engage in any mutinous or seditious purpose, or to disturb the public peace, or to be of any association, society, or confederacy formed for any such purpose, or to obey the orders or commands of any committee or body of men not lawfully constituted, or of any leader or commander, or other person not having authority of law for that purpose, or not to inform or give evidence against any associate, confederate, or other person, or not to reveal or discover any unlawful combination or confederacy, or not to reveal or engage in any illegal act done or to be done, or any illegal oath or engagement which may have been administered or tendered to or taken by any such person, or to or by any such other person, or the import of any such oath or engagement; and every person who shall take any such oath or engagement, not being compelled thereto, shall, on conviction thereof by due course of law, be liable to be kept in penal servitude for a term not exceeding seven years.

23. Compulsion shall not justify or excuse any person taking such oath or engagement unless he or she shall, within fourteen days after the taking thereof, if not prevented by actual force or sickness, and then within fourteen days after the hindrance produced by such force or sickness shall cease, declare the same together with the whole of what he or she shall know touching the same, and the person or persons by whom and in whose presence, and when and where such oath or engagement was administered or taken, by information on oath before any Justice, or in case the person taking such oath or engagement shall be in actual service in Her Majesty's Forces by sea or land or air, then by such information on oath as aforesaid, or by information to his Commanding Officer.

24. Any person aiding and assisting at the administering of any such oath or engagement as aforesaid, and any person causing any such oath or engagement to be administered, though not present at

declaration to the like effect of such oaths, or any of them, except the persons required to take the oath of allegiance by this Law.

Miscellaneous Provisions as to Oaths

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

Substitution of Sovereign's name for the time being.

18. Any person who has been, or shall be appointed a Justice of the Peace by any Commission, and has taken and subscribed, or shall take and subscribe, the oaths prescribed by section 12, shall not be obliged again to take and subscribe the same oaths for or by reason of his having been or being again appointed a Justice of the Peace by any subsequent commission which shall have been or shall be granted during the reign of the same Sovereign, and shall not incur any penalty or forfeiture for the not taking or subscribing the said oaths on such re-appointment.

Justice of the Peace need not take oath more than once during the same reign.

19. Whenever an oath is required to be taken under this Part, every person for the time being by law permitted to make a solemn affirmation or declaration instead of oath.

19. Whenever an oath is required to be taken under this Part, every person for the time being by law permitted to make a solemn affirmation or declaration instead of oath, 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".

Affirmation or declaration instead of oath.

20. If any officer specified in the Schedule, declines or neglects when any oath or solemn declaration required to be taken by him under this Law is duly tendered, to take such oath, or make such affirmation, he shall, if he has already entered on his office, vacate the same; and if he has not entered on 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 make such affirmation more times than one.

Neglect or refusal to take oath or make affirmation.

21. Every person who shall, in any manner or form whatsoever, administer, or cause to be administered, or be aiding or assisting at the administering of, any oaths or engagement purporting on intend- ing to bind the person taking the same to commit any treason, arson, or murder.

Oath binding to commit treason, arson or murder.

PART III. Unlawful Oaths

1. This Law may be cited as the Oaths Law.

2. In this Part "officer" means any person duly authorized to administer oaths.

PART I. Oaths and Affirmations

[Part I - 11th November, 1954]
[Part II - 30th April, 1914]
[Part III - 1865]

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Jamaica
Law
Cap. 264.
43 of 1954.

3. (1) Any oath may be administered and taken in the form and manner following, that is to say, the person taking the oath shall hold the Bible in his uplifted hand, and shall say or repeat after the officer administering the oath the words—
"I swear by Almighty God that
(2) The officer shall (unless the person about to take the oath voluntarily objects thereto, or is physically incapable of so taking the oath) administer the oath in the form and manner aforesaid
Provided that, in the case of a person who is neither a Christian nor a Jew, the oath shall be administered in any manner which is now lawful.

4. Where an oath has been duly administered and taken, the fact that the person to whom the same was administered had, at the time of taking such oath, no religious belief, shall not for any purpose affect the validity of such oath.

Want of religious belief not to affect oath.

5. If any person to whom an oath is administered desires to swear with uplifted hand, in the form and manner in which an oath is usually administered in Scotland, he shall be permitted so to do, and the oath shall be administered to him in such form and manner without further question.

Oath in Scotch Form.

6. (1) Every person upon objecting to be 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.

(2) Every such affirmation shall be as follows—

“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 witnesses.

(3) Every affirmation in writing shall commence “I, _____, do solemnly and sincerely affirm”, and the form in lieu of jurat shall be “Affirmed at _____ day of _____ 19____ Before me.”

Form of affirmation in lieu of prescribed oath.

Substitution of affirmations for oaths in certain cases.

7. The oath in this Part referred to as the oath of allegiance shall be in the form following, that is to say—

“I, _____, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to Law – So help me God.”

Form of oath of allegiance.

C.I. Cons. (O. in C.) 1962.

8. The oath in this Part referred to as the official oath shall be in the form following, that is to say—

“I, _____, do swear that I will well and truly serve Her Majesty Queen Elizabeth the Second, Her Heirs and Successors in the office of _____ – So help me God.”

Form of official oath.

C.I. Cons. (O. in C.) 1962.

9. The oath in this Part referred to as the judicial oath shall be in the form following, that is to say—

“I, _____, do swear that I will well and truly serve our Sovereign Lady Queen Elizabeth II 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.”

Form of judicial oath.

PART II. *Promissory Oaths*

10. The oath in this Part referred to as the oath of the Executive Councillor shall be in the form following, that is to say—

“I, _____, being chosen and admitted of the Executive Council of the Cayman Islands, 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 Administrator or Officer Administering the Government of the Cayman Islands for the time being, for the good management of the public affairs of the said Colony; and that I will not directly or 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.”

Form of oath of Executive Councillor.

11. The oath of allegiance and official oath shall be tendered to and taken by each of the officers named in the First Part of the Schedule, as soon as may be after his acceptance of office by the officer, and in the manner in that behalf mentioned in the said First Part.

Provision as to officers named in First Part of Schedule.

12. The oath of allegiance and judicial oath shall be taken by each of the officers named in the Second Part of the Schedule, as soon as may be after his acceptance of office, and such oaths shall be tendered and taken in manner in the said Second Part indicated.

Provision as to officers named in Second Part of Schedule.

13. The oath of allegiance shall be taken by each member of the Legislative Assembly and shall be tendered by the Administrator or presiding member at a sitting of the Assembly.

Oath of member of Legislative Assembly.

14. The oath of allegiance and the oath of an Executive Councillor shall be taken by each Executive Councillor as soon as may be after he shall have been chosen and admitted of the Executive Council, and such oaths shall be tendered by the Clerk of the Executive Council and taken at a meeting of the Executive Council.

Oath of Executive Councillor.

15. The form of the oath of allegiance provided by this Law shall be deemed to be substituted for the form of the oath of allegiance and supremacy, and for the forms of the oaths of allegiance, supremacy, and abjuration, heretofore taken.

Form of oath of allegiance substituted for the oaths heretofore made.

16. No person shall be required to take the oaths of allegiance, supremacy, and abjuration, or any of such oaths, or to make any

Persons required to take oaths.