



# Scotland Act 1998

## 1998 CHAPTER 46

### PART V

#### MISCELLANEOUS AND GENERAL

*Other provision about members of the Parliament etc.*

#### 84 Oaths.

- (1) A person who is returned as a member of the Parliament shall take the oath of allegiance (whether or not he has taken the oath after being returned on a previous occasion or otherwise than as a member of the Parliament).
- (2) He shall do so at a meeting of the Parliament and shall not take part in any other proceedings of the Parliament until he has done so.
- (3) If he has not done so within the period of two months beginning with the day on which he was returned, or such longer period as the Parliament may have allowed before the end of that period, he shall cease to be a member of the Parliament (so that his seat is vacant).
- (4) Each member of the [<sup>F1</sup>Scottish Government] shall on appointment—
  - (a) take the official oath in the form provided by the <sup>M1</sup>Promissory Oaths Act 1868, and
  - (b) take the oath of allegiance.
- (5) Each junior Scottish Minister shall on appointment take the oath of allegiance.
- (6) Subsections (4) and (5) do not require a member of the Parliament to take the oath of allegiance again if he has already done so in compliance with his duty as a member.
- (7) In this section, references to taking the oath of allegiance are to taking it in the form provided by the Promissory Oaths Act 1868.

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**Changes to legislation:** There are currently no known outstanding effects for the Scotland Act 1998,  
Cross Heading: Other provision about members of the Parliament etc.. (See end of Document for details)

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**Textual Amendments**

**F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 12(2)(a)**, 44(5) (with s. 12(3));  
[S.I. 2012/1710](#), art. 2(f)

**Marginal Citations**

**M1** 1868 c. 72.

**85 Exemption from jury service.**

- (1) <sup>F2</sup>.....
- (2) In Part III of Schedule 1 to the <sup>M2</sup>Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (persons excusable as of right from jury service), after the entries in Group A there is inserted—

**“GROUP AB**

*Scottish Parliament and [<sup>F1</sup>Scottish Government]*

- (a) members of the Scottish Parliament;  
(b) members of the [<sup>F1</sup>Scottish Government]; and  
(c) junior Scottish Ministers.”

**Textual Amendments**

**F1** Words in Act substituted (3.7.2012) by [Scotland Act 2012 \(c. 11\)](#), **ss. 12(2)(a)**, 44(5) (with s. 12(3));  
[S.I. 2012/1710](#), art. 2(f)

**F2** S. 85(1) repealed (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 332, 336(3), **Sch. 37 Pt. 10**; [S.I. 2004/829](#), **art. 2(1)(2)** (subject to art. 2(3)-(6))

**Marginal Citations**

**M2** 1980 c. 55.

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading:  
Other provision about members of the Parliament etc..