



Parliamentary Oaths Act 1866

1866 CHAPTER 19

An Act to amend the Law relating to Parliamentary Oaths.

[30th April 1866]

WHEREAS it is expedient that One uniform Oath should be taken by Members of both Houses of Parliament on taking their Seats in every Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows :

1 Oath to be taken by Members of Parliament.

The Oath to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament shall be in the Form following :

“I A. B. do swear that I will be faithful and bear true Allegiance ' to Her Majesty Queen Victoria; and I do faithfully promise to maintain and support the Succession to the Crown, as the same stands limited and settled by virtue of the Act passed in the Reign of King "William the Third, intituled " An Act for the further Limitation of the Crown, and better securing the Eights and Liberties of the Subject," and of the subsequent ' Acts of Union with Scotland and Ireland. So help me GOD.”

2 The Name of the Sovereign for the Time being to be used in the Oath,

Where in the Oath hereby appointed the Name of Her present Majesty is expressed, the Name of the Sovereign of this Kingdom for the Time being by virtue of the Act " for the further Limitation " of the Grown, and better securing the Eights and Liberties of the " Subject," shall be substituted from Time to Time with proper Words of Reference thereto.

3 Time and Manner of taking the Oath.

The Oath hereby appointed shall in every Parliament be solemnly and publicly made and subscribed by every Member of the House of Peers at the Table in the Middle of the said House before he takes his Place in the said House, and whilst a full House of Peers is there with their Speaker in his Place, and by every Member of the House of Commons at the Table in the Middle of the said House, and whilst a full House of Commons is there duly sitting, with their Speaker in his Chair, at such Hours and according to such Regulations as each House may by its Standing Orders direct.

4 Provision in favour of Quakers, &c.

Every Person of the Persuasion of the People called Quakers, and every other Person for the Time being by Law permitted to make a solemn Affirmation or Declaration instead of taking an Oath, may, instead of taking and subscribing the Oath hereby appointed, make and subscribe 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;" and the making and subscribing such Affirmation with such Substitution as aforesaid by a Person hereby authorized to make and subscribe the same shall have the same Effect as the making and subscribing by other Persons of the Oath hereby appointed.

5 Penalty for Omission to take Oath.

If any Member of the House of Peers votes by himself or his Proxy in the House of Peers, or sits as a Peer during any Debate in the said House, without having made and subscribed the Oath hereby appointed, he shall for every such Offence be subject to a Penalty of Five hundred Pounds, to be recovered by Action in One of Her Majesty's Superior Courts at *Westminster* ; and if any Member of the House of Commons votes as such in the said House, or sits during any Debate after the Speaker has been chosen, without having made and subscribed the Oath hereby appointed, he shall be subject to a like Penalty for every such Offence, and in addition to such Penalty his Seat shall be vacated in the same Manner as if he were dead.

6 Repeal of Acts and Parts of Acts in Schedule.

There shall be repealed the several Acts and Parts of Acts specified in the Schedule hereto to the Extent in the said Schedule in that Behalf mentioned : Provided always, that the Repeal of these Acts or any of them, or of any Parts thereof, shall not be construed to weaken or in any Manner to affect any Laws or Statutes now in force for preserving and upholding the Supremacy of Our Lady the Queen, Her Heirs and Successors, in all Matters Civil and Ecclesiastical within this Realm and other Her Majesty's Dominions.

7 Short Title.

This Act may be cited for all Purposes as " The Parliamentary Oaths Act, 1866."

SCHEDULE

Date of Act.	Title of Act.	Extent of Repeal.
30 Car. 2. stat. 2. c. 1.	An Act for the more effectual preserving the King's Person and Government, by disabling Papists from sitting in either House of Parliament.	So much as is unrepealed.
13 Will. 3. c. 6.	An Act for the further Security of His Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales and all other Pretenders, and their open and secret Abettors.	Ss. 10, 11.
1 Geo. 1. stat. 2. c. 13.	An Act for the further Security of His Majesty's Person and Government and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors.	Ss. 16, 17.
6 Geo. 3. c. 53.	An Act for altering the Oath of Abjuration and the Assurance, and for amending so much of an Act of the Seventh Year of Her late Majesty Queen Anne, intituled An Act for the Improvement of the Union of the Two Kingdoms, as after the Time therein limited requires the Delivery of certain Lists and Copies therein mentioned to Persons indicted of High Treason or Misprision of Treason.	So far as relates to Oaths to be taken by Members of either House of Parliament.
10 Geo. 4. c. 7.	An Act for the Relief of His Majesty's Roman Catholic Subjects.	So far as relates to Oath's to be taken by Members of either House of Parliament.
6 & 7 Vict. c. 6.	An Act to alter the Hours within which certain Oaths and Declarations are to be	The whole Act.

Status: This is the original version (as it was originally enacted).

Date of Act.	Title of Act.	Extent of Repeal.
21 & 22 Vict. c. 48.	made and subscribed in the House of Peers. An Act to substitute One Oath for the Oaths of Allegiance, Supremacy, and Abjuration, and for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.
21 & 22 Vict. c. 49.	An Act to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.	So far as relates to Oaths to be taken by Members of either House of Parliament.
22 Vict. c. 10.	An Act to settle the Form of Affirmation to be made in certain Cases by Quakers and other Persons by Law permitted to make an Affirmation instead of taking an Oath.	So far as relates to Oaths to be taken by Members of either House of Parliament.
23 & 24 Vict. c. 63.	An Act to amend the Act of the Twenty-first and Twenty-second Years of Victoria, Chapter Forty-nine, to provide for the Relief of Her Majesty's Subjects professing the Jewish Religion.	The whole Act.