



# Promissory Oaths Act 1868

1868 CHAPTER 72

## PART 1

OATHS TO BE CONTINUED

*Oath of Allegiance. Official and Judicial Oaths*

### 2 Form of Oath of Allegiance.

The Oath in this Act 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 Victoria, Her Heirs and Successors, according to Law. So help me GOD.

### 3 Form of Official Oath.

The Oath in this Act 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 Victoria in the Office of So help me GOD.

### 4 Form of Judicial Oath.

The Oath in this Act referred to as the Judicial Oath shall be in the Form following; that is to say,

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*Status: This is the original version (as it was originally enacted).*

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I do swear that I will well and truly serve  
our Sovereign Lady Queen Victoria in the Office of  
, and I will do Right to all Manner of People after the Laws and  
Usages of this Realm, without Fear or Favour, Affection or  
Illwill. So help me GOD.

**5 Persons to take the Oath of Allegiance and Official Oath.**

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 annexed hereto 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, of the said Schedule.

**6 Persons to take the Oath of Allegiance and Judicial Oath.**

The Oath of Allegiance and Judicial Oath shall be taken by each of the Officers named in the Second Part of the said Schedule hereto as soon as maybe after his Acceptance of Office, and such Oaths shall be tendered and taken in manner in which the Oaths required to be taken by such Officer previously to the passing of this Act on entering his Office would have been tendered and taken.

**7 Penalty on not taking required Oath.**

If any Officer specified in the Schedule hereto declines or neglects, when any Oath required to be taken by him under this Act 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 or make such Affirmation more Times than One.

**8 Form of Oath of Allegiance in this Act substituted for Form in certain other Acts.**

The Form of the Oath of Allegiance provided by this Act shall be deemed to be substituted in the Case of the Clerical Subscription Act, 1865, for the Form of the Oath of Allegiance and Supremacy therein referred to; in the Case of the Parliamentary Oaths Act, 1866, for the Form of the Oath thereby prescribed to be taken and subscribed by Members of Parliament on taking their Seats; and in the Case of the Office and Oaths Act, 1867, for the Form of the Oaths of Allegiance, Supremacy, and Abjuration therein referred to; and all the Provisions of the said Acts shall apply to the Oath substituted by this Section in the same Manner as if that Form of Oath were actually inserted in each of the said Acts in the Place of the Oath for which it is substituted.

**9 Prohibition of Oath of Allegiance except in accordance with Act.**

No Person, shall be required or authorized to take the Oaths of Allegiance, Supremacy, and Abjuration, or any of such Oaths, or any Oath substituted for such Oaths, or any of them, or to make any Declaration to the like Effect of such Oaths, or any of them, except the Persons required to take the Oath of Allegiance by this Act and the Clerical

Subscription Act, 1865, and the Parliamentary Oaths Act, 1866, or One of such Acts, any Act of Parliament, Charter, or Custom to the contrary notwithstanding; and no Person, shall be required or authorized to take the Oath of Assurance in Scotland.

*Miscellaneous Provisions as to Oaths*

**10 The Name of the Sovereign for the Time being to be used in the Oath.**

Where in any Oath under this Act the Name of Her present Majesty is expressed, the Name of the Sovereign of this Kingdom for the Time being shall be substituted from Time to Time.

**11 Provision in favour of Persons permitted to make Affirmations.**

When an Oath is required to be taken under this Act, 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."