

LAWS OF GUYANA

PROMISSORY OATHS ACT

CHAPTER 27:06

Act

4 of 1870

Amended by

22 of 1958 O. 15/1970
4 of 1972
19 of 1980
6 of 1981

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1 - 7 ...	1/2012

**Index
of
Subsidiary Legislation**

	Page
Delegation of Function (Promissory Oaths) Order (O. 76/1980)	7

CHAPTER 27:06
PROMISSORY OATHS ACT
ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. When affirmation or declaration to be substituted for oath.
3. Oath of Office.
4. Officers to take oath of office.
5. Form of oath to be taken by Secretary to the Cabinet.
6. Before whom oaths to be taken.
7. Record of oaths.
8. Officer required to take oath declining or neglecting to do so.

SCHEDULE—Lists of officers required to take Oaths.

1929 Ed.
c. 256
1953 Ed.
c. 70

4 of 1870

An Act to amend and make uniform the Promissory Oaths required to be taken as a Qualification for the Exercise and Enjoyment of Offices and other Civil Rights in this State.

[20TH JULY, 1870]

Short title.

1. This Act may be cited as the Promissory Oaths Act.

When affirmation or declaration to be substituted for oath.

2. Where any 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 an 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.”

Oath of office.
[O. 15/1970
19 of 1980]

3. The oath referred to in this Act as the oath of office shall be in the form set out in the Schedule to the Constitution.

Officers to take
oath of office.
Schedule.
[22 of 1958
O. 15/1970]

4. The oath of office shall be tendered to, and taken by each of the officers named in the Schedule, as soon as may be after his acceptance of office:

Provided that when any person is appointed to act in the place and during the absence of any officer named in the Schedule, 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.

Form of oath to
be taken by
Secretary to the
Cabinet.
[O. 15/1970]

5. The Secretary to the Cabinet shall take the oath of office before entering upon the duties of his office.

Before whom
oaths to be
taken.
[22 of 1958
4 of 1972
19 of 1980
6 of 1981]

6. (1) The oath required to be taken by a Vice-President or by the Chancellor or by the Chief Justice shall be taken before the President who shall attest the same.

(2) The oath required to be taken by a Minister other than a Vice-President or by a Parliamentary Secretary or by a Judge of the Supreme Court of Judicature other than the Chancellor and the Chief Justice or by the Secretary to the Cabinet shall be taken either before the President or before such Vice-President as the President may in any case direct in writing under his hand, and the President or the Vice-

President before whom such oath is taken shall attest the same.

(3) Any other oath required to be taken under this Act or any other written law shall (save where that other written law provides that the oath shall be taken before a person other than the President) be taken before the President or before such Minister, Judge of the Supreme Court of Judicature or such public officer as the President may in any case direct in writing under his hand, and the person before whom such oath is taken shall attest the same.

(4) Anything done or any action taken under subsection (3) on or after 25th October, 1980 and before the commencement of this subsection, which would have been lawful and valid had subsection (3) as amended by the Miscellaneous Enactments (Amendment) Act 1981 been in force at the material time, shall be deemed always to have been lawfully and validly done or taken

Record of Oath.
[22 of 1958]

7. Every oath sworn in pursuance of this Act 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.

Officer
required to take
oath declining
or neglecting to
do so.

8. Any officer specified in the Schedule who declines or neglects when any oath required to be taken by him hereunder is duly tendered to him, to take oath, shall, if he has already entered on his office, vacate it, and if he has not entered on it shall be disqualified from entering thereon; but no person shall be compelled, in respect of the same appointment to the same office, to take an oath or make an affirmation more than once.

ss. 4, 9.
[22 of 1958
O. 15/1970]

SCHEDULE

LISTS OF OFFICERS REQUIRED TO TAKE OATH

The Attorney-General.
Heads of Government Departments.
The Solicitor-General.
The Secretary to the Office of the President.
Permanent Secretaries to Ministries.
Sworn Clerks and Assistant Sworn Clerks of the Deeds Registry
and the Supreme Court Registry.
Magistrates.
Justices of the Peace.

SUBSIDIARY LEGISLATION

O. 76/1980

**DELEGATION OF FUNCTION (PROMISSORY OATHS)
ORDER**

1. This Order may be cited as the Delegation of Function (Promissory Oaths) Order.

2. (1) In relation to the taking of the oaths of office by Judges of the Supreme Court of Judicature (other than the Chancellor and the Chief Justice), the Prime Minister is hereby delegated to exercise on behalf of the President the function conferred on the President by section 6(1) of the Promissory Oaths Act.

(2) In relation to the taking of oaths of office required to be taken by the office holders named in the Schedule the Prime Minister is hereby delegated to exercise on behalf of the President the function conferred on the President by section 6(3) of the Promissory Oaths Act, of having the oaths taken before him.