



## **ST. CHRISTOPHER AND NEVIS**

### **CHAPTER 5.12**

## **PROMISSORY OATHS ACT**

### **Revised Edition**

showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

### **PROMISSORY OATHS ACT**

**Act 9 of 1998** ... in force 1st June 2001

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**CHAPTER 5.12**  
**PROMISSORY OATHS ACT**

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**CHAPTER 5.12**  
**PROMISSORY OATHS ACT**

AN ACT TO MAKE PROVISION FOR THE TAKING OF OATHS BY CERTAIN PERSONS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

**Short title.**

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

**Oaths to be taken by certain officials.**

2. (1) A person specified in subsection (2) of this section shall, before or immediately after assuming the duties of his or her office, take the oaths set out in the First Schedule to this Act.

(2) The persons referred to in subsection (1) of this section are the following—

- (a) Secretary to the Cabinet;
- (b) Permanent Secretary;
- (c) Director of Public Prosecutions;
- (d) Director of Audit;
- (e) Ambassador, High Commissioner or other principal representative of Saint Christopher and Nevis;
- (f) a person appointed a Commissioner to any Commission established under the Constitution or by Government;
- (g) Head and Deputy Head of a department;
- (h) legal officer; and
- (i) any other public officer.

**Oaths of judicial officers.**

3. A judge and any other judicial officer shall take the oath set out in the Second Schedule to this Act.

**Oaths to be taken by alien.**

4. An alien shall, on naturalisation, take the oath of allegiance.

**Penalty for not taking the oath.**

5. (1) Where a person declines or neglects to take any oath as provided under this Act when the oath is duly tendered to him or her, then he or she shall—
  - (a) if he or she has already assumed duties of his or her office, vacate the office;
  - (b) if he or she has not assumed duties of his or her office, be disqualified from assuming the duties of the office.

(2) Notwithstanding the provisions of subsection (1) of this section, no person shall be compelled to take the oath more than once in respect of the same appointment to the same office.

**FIRST SCHEDULE**

*(Section 2)*

**FORMS OF OATH**

**PART I**

**OATH (OR AFFIRMATION) OF ALLEGIANCE**

I, ....., do swear (or solemnly affirm) that I will faithfully bear true allegiance to Her Majesty Queen Elizabeth the Second, Her Heirs and Successors, according to law.

So help me God. (To be omitted in affirmation).

**PART II**

**OATH (OR AFFIRMATION) OF OFFICE**

I, ....., do swear (or solemnly affirm) that I will well and truly serve Her Majesty Queen Elizabeth the Second in the office of .....

So help me God. (To be omitted in affirmation).

**PART III**

**OATH (OR AFFIRMATION) OF CONFIDENTIALITY**

I, ....., do swear (or solemnly affirm) that I will not on any account, at any time whatsoever, disclose any counsel, advice, opinion, or information given to or received by me in the course of my duties and that I will not, except to such extent as may be required for the proper conduct of the Government of Saint Christopher and Nevis, directly or indirectly reveal any matter coming to my knowledge by virtue of my office.

So help me God. (To be omitted in affirmation).

**SECOND SCHEDULE**

*(Section 3)*

**JUDICIAL OATH (OR AFFIRMATION)**

I, ....., do swear (or solemnly affirm) that I will well and truly serve our Sovereign Lady Queen Elizabeth the Second, in the office of ....., and I will do right to all manner of people after the laws and usages of Saint Christopher and Nevis, without fear, favour, affection or ill-will.

So help me God. (To be omitted in affirmation).

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