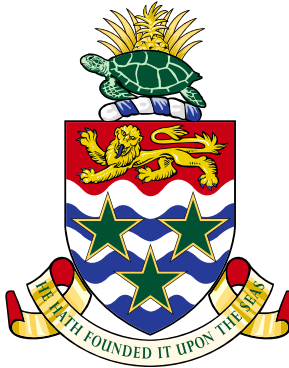


CAYMAN ISLANDS



OATHS ACT

(2024 Revision)

Supplement No. 2 published with Legislation Gazette No. 8 of 13th February, 2024.

PUBLISHING DETAILS

Consolidated with Laws 12 of 1975 (part) and 15 of 1982, with the Constitution of the Cayman Islands (U.K.S.I. 1972 No. 1011 (as amended) (part) and as amended by the Cayman Islands Constitution Order 2009 (UKSI 1379/2009) (as amended) (part) and by Act 56 of 2020.

Revised under the authority of the *Law Revision Act (2020 Revision)*.

Originally enacted —

Cap 112-1st January, 1964

Law 12 of 1975-3rd September, 1975

Law 15 of 1982-9th December, 1982

Constitution-26th July, 1972

Constitution-10th June, 2009

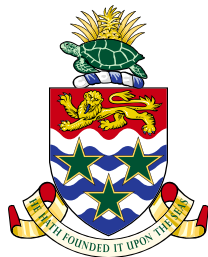
Act 56 of 2020-7th December, 2020.

Consolidated and revised this 31st day of December, 2023.

Note (not forming part of this Act): This revision replaces the 1996 Revision which should now be discarded.



CAYMAN ISLANDS



OATHS ACT
(2024 Revision)

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CAYMAN ISLANDS



OATHS ACT

(2024 Revision)

Short title

1. This Act may be cited as the *Oaths Act (2024 Revision)*.

PART 1 - Oaths and Affirmations**Interpretation**

2. In this Part —

“**officer**” means any person duly authorised to administer oaths.

Manner of administration of oaths

3. (1) Any oath may be administered and taken in the form and manner following, that is to say, the person taking the oath shall hold the Bible in that person’s uplifted hand, and shall say or repeat after the officer administering the oath the words —
“**I swear by Almighty God that .**” followed by the words of the oath prescribed by law.
- (2) The officer shall (unless the person about to take the oath voluntarily objects thereto, or is physically incapable of so taking the oath) administer the oath in the form and manner aforesaid without question:

Provided that, at the request of the person taking the oath, the oath shall be administered in any manner which is now lawful.



Want of religious belief not to affect oath

4. Where an oath has been duly administered and taken, the fact that the person to whom the same was administered had, at the time of taking such oath, no religious belief, shall not for any purpose, affect the validity of such oath.

Oath in Scottish form

5. If any person to whom an oath is administered desires to swear with uplifted hand, in the form and manner in which an oath is usually administered in Scotland, that person shall be permitted so to do, and the oath shall be administered to that person in such form and manner without further question.

Substitution of affirmations for oaths in certain cases

6. (1) Every person upon objecting to be sworn, and stating, as the ground of such objection, either that that person has no religious belief, or that the taking of an oath is contrary to that person's religious belief, shall be permitted to make that person's solemn affirmation, instead of taking an oath, in all places and for all purposes where an oath is or shall be required by law, which affirmation shall be of the same force and effect as if that person had taken the oath.
- (2) Every such affirmation shall be as follows —
“**I, A.B., do solemnly, sincerely and truly, declare and affirm,**” and then proceed with the words of the oath prescribed by law, omitting any words of imprecation or calling to witness.
- (3) Every affirmation in writing shall commence —
“**I, , of do solemnly and sincerely affirm**”, and the form *in lieu of jurat* shall be “Affirmed at this day of 20 .
Before me.”.

PART 2 - Promissory Oaths

Form of oath of allegiance

7. The oath, in this Part referred to as the oath of allegiance, shall be in the following form —
“**I, , do swear that I will be faithful and bear true allegiance to His Majesty King Charles the Third, His Heirs and Successors, according to Law - So help me God.**”.

Form of official oath

8. The oath in this Part referred to as the official oath shall be in the form following —



“I, , do swear that I will well and truly serve His Majesty King Charles the Third, His Heirs and Successors in the office of (here insert the description of the office) - So help me God.”.

Form of judicial oath

- 9.** The oath in this Part referred to as the judicial oath shall be in the form following —
- “I, , do swear that I will well and truly serve His Majesty King Charles the Third, in the office of (here insert the description of the office), and I will do right to all manner of people according to the law without fear or favour, affection or ill will - So help me God.”.**

Provision as to officers named in First Part of Schedule

- 10.** The oath of allegiance and oath for due execution of office shall be tendered to and taken by each of the officers named in the First Part of the Schedule, as soon as may be after that person’s acceptance of office by the officer, and in the manner in that behalf mentioned in the said First Part.

Provision as to officers named in Second Part of Schedule

- 11.** The oath of allegiance and judicial oath shall be taken by each of the officers named in the Second Part of the Schedule, as soon as may be after that person’s acceptance of office, and such oaths shall be tendered and taken in manner in the said Second Part indicated.

Oath of members of Parliament

- 12.** The oath of allegiance shall be taken by each member of the Cayman Islands Parliament and shall be made before the Governor or some other person authorised in that behalf by the Governor, acting in the Governor’s discretion.

Oath of Members of the Cabinet

- 13.** The oath of allegiance and the oath for due execution of office shall be taken by each Member of the Cabinet before assuming the functions of that person’s office and shall be made before the Governor or some other person authorised in that behalf by the Governor, acting in the Governor’s discretion.

Persons required to take oath of allegiance

- 14.** No person shall be required to take the oath of allegiance, or to make any declaration to the like effect of such oath except the persons required to take the oath by this Act.

PART 3 - Miscellaneous Provisions as to Oaths

Substitution of Sovereign's name for the time being

- 15.** Where, in any oath under Part 2, the name of his present Majesty is expressed, the name of the Sovereign of the United Kingdom for the time being shall be substituted from time to time.

Justice of the Peace need not take oath more than once during the same reign

- 16.** Any person who has been, or shall be appointed a Justice of the Peace by any Commission, and has taken and subscribed, or shall take and subscribe, the oaths prescribed by section 11, shall not be obliged again to take and subscribe the same oaths for or by reason of that person's having been or being again appointed a Justice of the Peace by any subsequent Commission which shall have been or shall be granted during the reign of the same Sovereign, and shall not incur any penalty or forfeiture for the not taking or subscribing the said oaths on such re-appointment.

Affirmation or declaration instead of oath

- 17.** Whenever an oath is required to be taken under Part 2, 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."

Neglect or refusal to take oath or make affirmation

- 18.** If any officer specified in the Schedule, declines or neglects when any oath or solemn declaration required to be taken by that person under this Act is duly tendered, to take such oath, or make such affirmation, that person shall, if that person has already entered on that person's office, vacate the same; and if that person has not entered on 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.



SCHEDULE

PERSONS BEFORE WHOM OATHS SHALL BE TAKEN

First Part

Section 10

Governor

To be taken before the Chief Justice.

Auditor-General

Collector of Customs

Commissioner of Police

Treasurer

Postmaster-General

}

To be taken before the Governor upon entering on office.

Second Part

Section 11

Judge of the Grand Court

Judge of the Court of Appeal

}

Before the Governor or some other person
authorised in that behalf by the Governor.

Magistrate

Before the Governor or such person as the Governor may appoint.

Justice of the Peace

Before such person as the Governor may appoint.

Publication in revised and consolidated form authorised by the Cabinet this 30th day of January, 2024.

Kim Bullings
Clerk of the Cabinet



ENDNOTES

Table of Legislation history:

SL #	Act/Law #	Legislation	Commencement	Gazette
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
		Cayman Islands Constitution Order 2009 (UKSI 1379/2009) (as amended) (part)	6-Nov-2009	G14/2009/s1
		Oaths Law (1996 Revision)	23-Dec-1996	G26/1996/s1
	15/1982	Oaths (Amendment) Law, 1982	7-Feb-1983	G3/1983/s3
	12/1975	Penal Code, 1975 (part)	1-Oct-1976	G24/1975/s2
		Constitution of the Cayman Islands (UKSI 1011/1972) (Commencement) Order, 1972	15-Dec-1972	GN224 of 1972
		Constitution of the Cayman Islands (UKSI 1011/1972) (as amended) (part)	19-Dec-1972	GN156 of 1972
	Cap 112	Oaths Law	1-Jan-1964	Revised Laws of the CI (Vol II – p.1623)

(Price: \$2.40)

