

OATHS ACT

CHAPTER 5:50

Act  
10 of 1987

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<i>(inclusive)</i>	<i>by L.R.O.</i>
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**Note  
on  
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

**CHAPTER 5:50****OATHS ACT****ARRANGEMENT OF SECTIONS****SECTION**

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## CHAPTER 5:50

## OATHS ACT

10 of 1987. **AN ACT to consolidate the provisions relating to the taking of oaths and for matters connected therewith.**

Commencement. [20th June 1987]

Short title. **1. This Act may be cited as the –  
OATHS ACT.**

Interpretation. **2. In this Act “young person” means any person who is under the age of eighteen years.**

Manner of administration of oaths. **3. (1) An oath may be administered and taken in Dominica in the following form and manner, that is to say, the person taking the oath shall hold the New Testament, or, in the case of a Jew, the Old Testament, in his uplifted hand and shall say or repeat after the officer administering the oath the words “I swear by Almighty God...” followed by the words of the oath prescribed by section 9 or 10, as the case may be.**

**(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 prescribed in subsection (1) without question.**

**(3) In the case of a person who is neither a Christian nor a Jew, the oath shall be administered in any lawful manner.**

**(4) In this section “officer” means any person duly authorised to administer oaths.**

Oaths in juvenile courts and for young persons in all courts. **4. (1) Subject to subsection (2), in relation to any oath administered to and taken by any person before a juvenile court or administered to and taken by any young person before any other court, section 3(1) shall have effect as if the words “I promise before Almighty God” were set out in it instead of the words “I swear by Almighty God”.**

**(2) Where in any oath otherwise duly administered and taken either of the forms mentioned in this section is used instead of the other, the oath shall nevertheless be deemed to have been duly administered and taken.**

5. (1) If any person to whom an oath is administered desires to swear with uplifted hand, he shall be permitted to do so; and in such case the person shall himself repeat the words of the oath, which shall be as follows:

Swearing with  
uplifted hand.

“I....., swear by Almighty God that  
.....”, followed by the relevant words of the oath.

(2) A person sworn in this manner shall not be required to take into his hand any Testament or other book.

6. (1) In any case in which an oath may lawfully be and has been administered to any person, if it has been administered in a form and manner other than that prescribed by law, he is bound by it if it has been administered in such form and with such ceremonies as he may have declared to be binding.

Validity of oaths.

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

7. (1) Any person who objects to being sworn shall be permitted to make his solemn affirmation instead of taking an oath.

Making of  
solemn affirmations.

(2) Subsection (1) shall apply in relation to a person to whom it is not reasonably practicable without inconvenience or delay to administer an oath in the manner appropriate to his religious belief as it applies in relation to a person objecting to be sworn.

(3) A person who may be permitted under subsection (2) to make his solemn affirmation may also be required to do so.

(4) A solemn affirmation shall be of the same force and effect as an oath.

8. (1) Subject to subsection (2), every affirmation shall be as follows:

Form of  
affirmation.

“I....., do solemnly, sincerely and truly declare and affirm,” and then proceed with the words of the oath prescribed by section 9 or 10, as the case may be, omitting any words of imprecation or calling to witness.

(2) Every affirmation in writing shall commence as follows:

“I .....of ....., do solemnly and sincerely affirm,” and the form in lieu of jurat shall be  
 “Affirmed at .....this ..... day  
 of .....19 ....., Before me.”

Words of oath.

9. (1) In the case of a witness, the words of the oath shall be “that the evidence I shall give shall be the truth, the whole truth and nothing but the truth”.

(2) In the case of a juror in a criminal case, the words of the oath shall be “that I will faithfully try the several issues joined between the State and the prisoner at the bar and a true verdict give according to the evidence”.

(3) In the case of an interpreter, the words of the oath shall be “that I will well and faithfully interpret and true explanation make of all such matters and things as shall be required of me according to the best of my skill and understanding”.

(4) In the case of a bailiff or other officer of the court when a jury retires, the words of the oath shall be “that I will well and truly keep this jury in some private and convenient place with suitable accommodation. I will not suffer any person to speak to them neither will I speak to them myself touching the trial had here” (add if the jury has retired to consider their verdict “unless it be to ask them if they are agreed on their verdict”) “without the leave of the court”.

Other words.

10. Where an oath is to be taken for which no words are prescribed by section 9, the words of the oath shall be those prescribed by the Chief Justice or, if no such words have been prescribed, such words as appear to the officer administering the oath to be appropriate and in such case such words shall be recorded.

Person taking  
oath or affirma-  
tion to stand.

11. Any person taking an oath or affirmation shall stand while it is being administered unless physically incapable of doing so.

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**CHAPTERS 5:51 - 5:52**  
***(RESERVED)***

