

## CHAPTER 42.

## OATHS AND AFFIRMATIONS.

## ARRANGEMENT OF SECTIONS.

## SECTION.

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## CHAPTER 42.

## OATHS AND AFFIRMATIONS.

**An Ordinance to Amend the Law Relating to Oaths and Affirmations.** 13 of 1930.

[26TH JUNE, 1930.]

1. This Ordinance may be cited as the Oaths and Affirmations Ordinance, and shall apply to the Colony and Protectorate. Short title.
2. (1) Any oath to be taken by a Christian or Jew may and shall, if the person taking the oath so desires, be administered and taken in the form and manner following— Manner of administration of oaths.

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 oaths the words "I swear by Almighty God that" followed by the words of the oath prescribed by law omitting any words of imprecation or calling to witness. Form of oath.
- (2) In the case of a person who is neither a Christian nor a Jew the oath shall be administered in such form and with such ceremonies as he declares to be binding on him. Non-Christian.
- (3) Nothing in sub-section (1) or (2) shall be deemed to prohibit the administration of an oath in any form now authorised by law. Saving as to form of oath now authorised by law.

Oath in  
Scotch form.

3. 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, he shall be permitted to do so, and the oath shall be administered to him in such form and manner without further question.

Mohamme-  
dan witness.

4. In any proceedings a court may permit a Mohammedan witness to make an affirmation that he will, in giving evidence, speak the truth, the whole truth and nothing but the truth:

Provided that, when a Mohammedan witness has given evidence on affirmation, the court may, if it thinks fit, and shall, if so required by an accused person in criminal proceedings, or by a party to civil proceedings, require the witness to repeat on oath the whole or any portion of his evidence:

Provided further that any Mohammedan witness who shall wilfully give false evidence on such affirmation as aforesaid shall be liable to be prosecuted and punished for wilful and corrupt perjury.

Absence of  
religious  
belief does  
not invali-  
date oath.

5. When 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.

When  
affirmation  
may be made  
instead of  
oath.

6. Every person who objects to being sworn, and states as the ground of such objection, either that he has no religious belief, or that the taking of an oath is contrary to his religious belief, shall be permitted to make his 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 he had taken the oath.

Form of  
affirmation.

7. Every such affirmation shall commence, "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.

Form of  
affirmation  
in writing.

8. 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 \_\_\_\_\_ 19\_\_\_\_ before me."