

Seychelles

Official Oaths Act

Act 15 of 1976

Legislation as at 30 June 2012

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Official Oaths Act
Contents

1. Short title 1

2. Interpretation 1

3. Forms of oaths 1

4. Affirmation 1

5. President's oath 1

6. Minister's oath 1

7. Judge's oath 1

8. Oaths of Allegiance 2

9. Judicial oaths 2

10. Official oaths 2

11. Oaths of Secrecy 2

12. Unnecessary repetition of oaths 2

13. Omission to take Oath not to invalidate acts 2

14. Oaths to be kept by proper officer 2

15. Oaths by persons who are not citizens 3

16. Offences and penalties 3

17. Amendment of Second, Third, and Fourth Schedule 3

18. Application of Act 3

Third Schedule (Section 9) 5

Fourth Schedule (Section 10) 5

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Official Oaths Act

Act 15 of 1976

Commenced on 29 June 1976

[This is the version of this document at 30 June 2012 and includes any amendments published up to 30 June 2014.]

[Act 15 of 1976; Act [23 of 1976](#); Dec 31 of 1979; Act [72 of 1991](#)]

1. Short title

This Act may be cited as the Official Oaths Act.

2. Interpretation

In this Act—

"**Office in the service of the Republic**" includes the Ministers, the Chairman and members of the People's Assembly, members of the Police Force and public officers;

"**proper officer**" means, in respect of oaths taken by reason of the provisions of—

- (a) sections [5](#), [6](#), subsection (2) of [section 8](#), sections [10](#) and [11](#), the Attorney General;
- (b) sections [7](#) and [9](#), the Registrar of the Supreme court;
- (c) subsection (1) of [section 8](#), the Clerk of the People's Assembly.

3. Forms of oaths

The Oath of Allegiance, the Presidential Oath, the Judicial Oath, the Official Oath and the Oath of Secrecy shall be in the forms set out in the First Schedule.

4. Affirmation

If any person required to take an Oath under this Act expresses any objection to taking such oath or expresses a desire to make an affirmation in lieu thereof, he may, without being further questioned as to the grounds of such objection or desire or otherwise, make a solemn affirmation in the form of the oaths herein appointed, substituting the words "solemnly and sincerely declare and affirm" for the word "swear" and omitting the words "So help me God".

5. President's oath

The President shall, on his assumption of office, take and subscribe the Presidential Oath, and such oath shall be tendered by and subscribed before the Chief Justice.

6. Minister's oath

In addition to the Oath of Allegiance, every Minister shall take and subscribe the Official Oath, and such Oaths shall be tendered by and subscribed before the President.

7. Judge's oath

In addition to the Oath of Allegiance, every Justice of Appeal and every Judge shall take and subscribe the Judicial Oath, and such oaths shall be tendered by and subscribed before the President or such person as the President may authorize in writing under his hand.

8. Oaths of Allegiance

- (1) The Oath of Allegiance shall be taken and subscribed by every person holding or acting in an office specified in the first column of the Second Schedule before assuming the duties of his office, before the person specified in the second column of such Schedule in relation to such office.
- (2) Notwithstanding the provisions of subsection (1), the President may require any person holding or acting in an office in the service of the Republic to take and subscribe the Oath of Allegiance before such person as he may appoint.

9. Judicial oaths

The Judicial Oath shall be taken and subscribed by every person holding or acting in an office specified in the first column of the Third Schedule before assuming the duties of his office, before the person specified in the second column of such Schedule in relation to such office.

10. Official oaths

The Official Oath shall be taken and subscribed by every person holding or acting in an office specified in the first column of the Fourth Schedule before assuming the duties of his office, before the person specified in the second column of such schedule in relation to such office.

11. Oaths of Secrecy

All Ministers and officers of, or persons in attendance on, the Council of Ministers shall take and subscribe the Oath of Secrecy, and such oath shall be tendered by and subscribed before the President or a Minister when he is presiding at a meeting of the Council of Ministers.

12. Unnecessary repetition of oaths

Where any person who has taken an oath by reason of the provisions of section 7, 8, 9 or 10 is appointed to, or to act in, some other office whereby he is required to take the Oath of Allegiance, the Judicial Oath, the Official Oath or the Oath of Secrecy, or to be in attendance on the Council of Ministers, he shall not be required to take any oath by reason of such appointment unless the oath required to be taken thereon is different from or in addition to any oath already taken by him and duly recorded in respect of any previous appointment:

Provided that nothing in this section shall apply to a person on assuming the office of President or Judge.

13. Omission to take Oath not to invalidate acts

Nothing in this Act shall render invalid any act done by a member of the Police Force, a public officer or a person in attendance on the Council of Ministers, in the execution or purported execution of his official duties, by reason only of the omission of such person to take an oath which in accordance with the provision this Act such person should have taken:

Provided that if any such person declines, neglects or omits to take or subscribe any oath required by this Act to be taken by him which is duly tendered, he shall, if he shall have already entered on his office, vacate the same, and, if he shall not have entered upon the duties of his office, be disqualified from entering upon the same.

14. Oaths to be kept by proper officer

Every oath taken in pursuance of the provisions of this Act shall be forwarded for safe-keeping to the proper officer and any such produced from the custody of such officer shall be deemed for all oath purposes to have been duly and properly taken under the provisions of this Act.

15. Oaths by persons who are not citizens

The taking or subscription of the Oath of Allegiance by a person who is not and does not subsequently become a citizen of Seychelles shall not render such person liable, after he has ceased to hold office in the service of the Republic, to any duty of allegiance to the Republic:

Provided that nothing in this section shall be construed as releasing any such person from any allegiance to which a person is subject whether or not he takes any such oath.

16. Offences and penalties

Any person who has taken an oath of secrecy or has made a solemn affirmation or declaration of secrecy under this Act, and thereafter contravenes any of the terms of such oath, affirmation or declaration is guilty of an offence and on conviction shall be liable to imprisonment for five years and to a fine of ten thousand rupees.

17. Amendment of Second, Third, and Fourth Schedule

The President may, by order published in the *Gazette*, remove from or add to either of the columns of the Second Schedule, the Third Schedule and the Fourth Schedule, the name of any office in the service of the Republic.

18. Application of Act

Nothing in this Act contained shall apply to or be deemed or construed to apply to oaths or affirmations or declarations taken or made in a Court of Justice for any purposes other than those which are provided for in this Act.

First Schedule (Section 3)

Oath of allegiance

I _____ do swear that I will be faithful and bear true allegiance to the President of the Republic of Seychelles, and that I will preserve, protect and defend the Constitution of Seychelles as by law established.

SO HELP ME GOD.

Presidential Oath

I _____ do swear that I will faithfully and diligently discharge my duties and perform my functions in the high office of President of the Republic of Seychelles, that I will maintain the Constitution of Seychelles and uphold the laws and that I will dedicate my abilities to the service and welfare of the people of Seychelles without fear or favour, affection or ill will.

SO HELP ME GOD.

Judicial Oath

I _____ do swear that I will well and truly serve the Republic of Seychelles in the office of _____ and that I will do right in accordance with the Constitution of Seychelles as by law established, and in accordance with the laws of the Republic without fear or favour, affection or ill will.

SO HELP ME GOD.

Official Oath

I _____ do swear that I will well and truly serve the Republic and President of Seychelles in the office of _____

SO HELP ME GOD.

I _____ do swear that I will not directly or indirectly reveal such matters as shall be brought under my consideration or shall be made known to me as _____ except as may be required in the discharge of my duties as such or with the authority of the President.

SO HELP ME GOD.

Second Schedule (Section 8)

First Column	Second Column
1. Chairman of the People's Assembly	The Assembly
2. Member of the People's Assembly	
3. Clerk of the People's Assembly	
4. The Attorney-General	The Chief Justice
5. Senior State Counsel	
6. State Counsel	
7. Pupil State Counsel	
8. Commissioner of Police	The President
9. Barristers-at-Law and Attorneys	A Judge at a sitting of the Court

Third Schedule (Section 9)

First Column	Second Column
1. The Registrar of the Supreme Court	The Chief Justice or a Puisne Judge authorised by the Chief Justice in that behalf
2. The Senior Magistrate	
3. Magistrates Chief Justice in that behalf	
4. Justices of the Peace	
5. Peace Officers	
6. The Official Assignee in Bankruptcy	
7. Interpreters of Courts	

Fourth Schedule (Section 10)

First Column	Second Column
1. The Curator of Vacant Estates	A Judge in Chambers or and Deeds such person as may be authorised by the Chief Justice in that behalf.
2. The Registrar of Mortgages A Judge in Chambers or and Deeds such person as may be	
3. The Chief Officer of the Civil Status Officers	
4. Notaries	A Judge at a sitting of the Court.
5. The Manager of the Government	The President or such a person as the president may authorise in that behalf
6. All persons required by any law for the time being in force to take oath of office	
7. A Councillor under the Local Government Act	