

PROJET DE LOI

ENTITLED

The Oaths and Affirmations Law, 1959 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Ordres en Conseil Vol. XVIII, p. 75. See also the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996 (No. IX of 1996, Ordres en Conseil Vol. XXXVI, p. 639).

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ARRANGEMENT OF SECTIONS

1. Making of solemn affirmation instead of taking oath.
2. Form of affirmation.
3. Oath taken by person having no religious belief.
4. Repeals.

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THE STATES, in pursuance of their Resolution of the thirtieth day of July, nineteen hundred and fifty-eight, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Making of solemn affirmation instead of taking oath.

1. Every person upon objecting to being sworn and stating, 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 an oath, and if any person making such affirmation shall wilfully affirm any matter which he knows to be false or does not believe to be true he shall be guilty of an offence and liable, on conviction, to a term of imprisonment not exceeding two years.

NOTE

In accordance with the provisions of the Magistrate's Court and Miscellaneous Reforms (Guernsey) Law, 1996, section 6, and with reference to the penalty prescribed for the offence in section 1, a court, instead of or in addition to any other punishment which may lawfully be imposed, may fine the offender for such offence.

Form of affirmation.

2. Every such affirmation as aforesaid shall be in the form as follows –

"I, do solemnly, sincerely and truly declare and affirm"

and then proceed with the words of the oath omitting any words of imprecation or calling to witness.

Oath taken by person having no religious belief.

3. Where an oath has been duly administered and taken, the fact that the person to which 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.

Repeals.

4. In Article nineteen of the Law entitled "Loi relative aux Preuves" registered on the eighth day of July, eighteen hundred and sixty-five, all the words beginning with the words "Bien entendu" to the end of that Article are hereby deleted and Article twenty of that Law is hereby repealed.

NOTE

The Law received Royal Sanction on 6th April, 1959 and was registered on the Records of the Island of Guernsey and came into force on 25th April, 1959.
