

CHAPTER 02 - OFFICIAL OATHS LAW

ARRANGEMENT OF SECTIONS

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FIRST SCHEDULE

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OFFICIAL OATHS LAW

A Law to prescribe the oaths to be taken by the Governor, the Deputy Governor, and certain officials.

[NN 63 Cap. 84, NN 3 of 1966, KWS 5 of 1969, KWS 7 of 1976, KWS 7 of 1977, KWS LN 1

of 1982.]

[Date of commencement: 1 *st* October, 1963]

1. Short title

This Law may be cited as the Official Oaths Law.

2. Form of oaths prescribed by this Law

The oaths, in this Law referred to as the Oath of Allegiance, the Oath of Office of Governor, the Oath of Office of Deputy Governor, the Oath of Office of Commissioner, the Judicial Oath, the Oath of Office and the Oath of Secrecy, shall be as in the forms set out in the First Schedule.

[First Schedule.]

[KWS LN 1 of 1982.]

3. Oaths of Governor and Deputy Governor

(1) The Oath of Allegiance and the appropriate Oath of Office shall be taken and subscribed by a person elected to the office of Governor or Deputy Governor before he begins to perform the functions of that office.

[KWS LN1 of 1982.]

(2) The Oaths shall be administered by the Chief Judge or the Grand Kadi.

3A. Oaths of members and officials of local government, emirate and traditional council

(1) The Official Oath set out in Part I of the First Schedule and the Oath of Secrecy set out in Part III of the First Schedule shall be taken by each member of a local government, an emirate or traditional council and by each member of a Council established under a Local Government or an emirate or traditional council as soon as may be after his acceptance of office.

[KWS 7 of 1977.]

(2) The oath shall be tendered by the Governor, any member of the State Executive Council or such other person as the Governor may specify.

(3) The Oath of Secrecy set out in Part III of the First Schedule shall be taken by all officials of a local government, an emirate or traditional council or of a council established under a local government, an emirate or traditional council who handle secret documents as soon as may be after appointment, such oath to be tendered by the person presiding at a meeting of the local government, the emirate or traditional council or the Council concerned.

4. Oaths of Commissioner

(1) The Oath of Allegiance and the Oath of Office of Commissioner shall be taken and subscribed by each Commissioner before entering upon the functions of his office.

[KWS LN 1 of 1982.]

(2) The oaths shall be administered by the Governor.

5. Oaths to be taken by officers named in Part I of the Second Schedule

The Oath of Allegiance and the Oath of Office shall be taken by each of the officers included in Part I of the Second Schedule as soon as may be after his acceptance of office before the person designated in the said Schedule.

[KWS LN 1 of 1982.]

6. Oaths to be taken by officers named in Part II of the Second Schedule

The Oath of Allegiance and the Judicial Oath shall be taken by each of the officers named or included in Part II of the Second Schedule before entering upon the functions of his office before the person designated in the said Schedule.

7. Oath to be taken by officers named in Part III of the Second Schedule

The Oath of Allegiance and the Oath of Secrecy set out in Part I of the First Schedule shall be taken by each of the officers named in Part III of the Second Schedule as soon as may be after such officer performs the duties of any of the offices named before the person designated in the said schedule.

[NN 3 of 1966, KWS LN 1 of 1982.]

8. Saving in respect of taking oaths

In the taking of oaths the following provisions shall apply—

- (a) where the Oath of Allegiance has been taken in Nigeria by an officer it shall not, save as hereinafter provided, be necessary for such officer again to take the Oath of Allegiance unless the Governor otherwise directs;
- (b) where the Oath of Office has been taken by an officer it shall not be necessary for that officer again to take the Oath of Office in respect of any subsequent appointment to the same office.

Provided that where the Oath of Office was taken by the officer in respect of an office which he was holding in an acting or temporary capacity and such officer is subsequently appointed as the substantive holder of that office he shall upon such subsequent appointment be required to take the Oath of Office.

9. Effect of not taking the required oath

If any person declines or neglects when any oath required to be taken by him under this Law is duly tendered, to take such oath, he shall—

- (a) if he has already entered on his office, vacate the same; or
- (b) if he has not entered on his office, be disqualified from entering on the same.

10. 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 Nigeria shall not render such person liable, after he has ceased to hold office in the service of Nigeria, to any duty of allegiance to Nigeria.

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.

FIRST SCHEDULE

PART I

Oath of Allegiance

[KWS LN 1 of 1982.]

I do solemnly swear that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria. So help me God.

FIRST SCHEDULE—*continued*

Oath of Office of Governor

[KWS LN 1 of 1982.]

I,, do solemnly swear that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as the Governor of Kwara State, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the fundamental objectives and directive principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will exercise the authority vested in me as Governor so as not to impede or

prejudice the authority lawfully vested in the President of the Federal Republic of Nigeria and so as not to endanger the continuance of Federal Government in Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly communicate or reveal to any person matter which shall be brought under my consideration or shall become known to me as Governor of Kwara State, except as may be required for the due discharge of my duties as Governor; and that I will devote myself to the service and well-being of the people of Nigeria. So help me God.

Oath of Office of Deputy Governor or Commissioner

[KWS LN 1 of 1982.]

I,, do solemnly swear that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as Deputy Governor of Kwara State/Commissioner of the Government of Kwara State, I will discharge my duties to the best of my ability, faithfully and in accordance with the Constitution of the Federal Republic of Nigeria and the law, and always in the interest of the sovereignty, integrity, solidarity, well-being and prosperity of the Federal Republic of Nigeria; that I will strive to preserve the fundamental objectives and directive principles of State Policy contained in the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will to the best of my ability preserve, protect and defend the Constitution of the Federal Republic of Nigeria; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that in all circumstances, I will do right to all manner of people, according to law, without fear or favour, affection or ill-will; that I will not directly or indirectly

communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me as Deputy Governor/Commissioner except as may be required for the due discharge of my duties as Deputy Governor/Commissioner. So help me God.

Judicial Oath

[KWS LN 1 of 1982.]

I,, do solemnly swear that I will be faithful and bear true allegiance to the Federal Republic of Nigeria; that as Chief Judge/Judge of Kwara State/Grand Kadi/Kadi of Kwara State, I will discharge my duties, and perform my functions honestly, to the best of my ability and faithfully in accordance with the Constitution of the Federal Republic of Nigeria and the Law; that I will abide by the Code of Conduct contained in the Fifth Schedule to the Constitution of the Federal Republic of Nigeria; that I will not allow my personal interest to influence my official conduct or my official decisions; that I will preserve, protect and defend the Constitution of the Federal Republic of Nigeria. So help me God.

FIRST SCHEDULE—*continued*

Oath of Office

I,, swear that I will at all times well and truly serve the Government of the Federal Republic of Nigeria in the office ofof Kwara State and that I will support and uphold the Constitution as by law established. So help me God.

Oath of Secrecy

I,, having taken up office as do swear that I will not directly or indirectly reveal such matters as may be

committed by the Government of Kwara State or by the
.....Local Government to my secrecy.
So help me God.

SECOND SCHEDULE

PART I

Such officers as shall be designated by the Governor from time to time. } Before the Governor.

PART II

Chief Judge and Grand Kadi. }
Other Judges of the High Court, other Kadis } Before the Governor or the Chief Judge or
of the Sharia Court of Appeal. } Grand Kadi.

Magistrates, District Judges, Area Judges and members, Justices of the Peace and all other persons appointed to any judicial office. } Before the Governor, the Chief Judge or such officer as the Governor may appoint.

PART III

Government officers whose duties require them to deal with secret papers, stenographers, secretary-typists, personal secretaries and Government clerks whose duties involve being in charge of registries. } Before the Governor or such officer as the Governor may appoint.

CHAPTER 02

OFFICIAL OATHS LAW

SUBSIDIARY LEGISLATION

No Subsidiary Legislation
