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Public Officers Act

R.S.O. 1990, Chapter P.45

**Consolidation Period:** From March 6, 2024 to the [e-Laws currency date](http://www.e-laws.gov.on.ca/navigation?file=currencyDates&lang=en).

Last amendment: [2024, c. 2, Sched. 19, s. 14](http://www.ontario.ca/laws/statute/S24002" \l "sched19s14).

Legislative History: [2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2); [2002, c. 24, Sched. B, s. 25](http://www.ontario.ca/laws/statute/S02024" \l "schedbs25); [2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1); [2019, c. 14, Sched. 4, s. 2](http://www.ontario.ca/laws/statute/S19014" \l "sched4s2); [2024, c. 2, Sched. 17, s. 1](http://www.ontario.ca/laws/statute/S24002" \l "sched17s1); [2024, c. 2, Sched. 19, s. 14](http://www.ontario.ca/laws/statute/S24002" \l "sched19s14).

Public officer to be Canadian Citizen or permanent resident

**1** No person shall be employed in any public office in Ontario who is not a Canadian Citizen or permanent resident of Canada, but nothing in this section prevents the employment of any person for a temporary purpose by the Government of Ontario or by any commission acting for or on behalf of the Crown, when in the opinion of the Government or of such commission such employment is in the public interest. R.S.O. 1990, c. P.45, s. 1.

**2**, **3** Repealed: 2019, c. 14, Sched. 4, s. 2.

**Section Amendments with date in force (d/m/y)**

[2019, c. 14, Sched. 4, s. 2](http://www.ontario.ca/laws/statute/S19014" \l "sched4s2) - 10/12/2019

Oaths of allegiance and office

**4** It is not necessary for any person appointed to any office in Ontario or for any person called as a barrister or admitted as a solicitor to make any declaration or subscription or to take or subscribe any other oath than the following:

I, ................................, do swear (or solemnly affirm) that I will be faithful and bear true allegiance to His Majesty King Charles the Third (or the reigning Sovereign for the time being), his heirs and successors according to law. So help me God. (omit this phrase in an affirmation).

and also such oath for the faithful performance of the duties of his or her office or for the due exercise of his or her profession or calling as may be required by any law in that behalf. R.S.O. 1990, c. P.45, s. 4; 2024, c. 2, Sched. 19, s. 14.

**Section Amendments with date in force (d/m/y)**

[2024, c. 2, Sched. 19, s. 14](http://www.ontario.ca/laws/statute/S24002" \l "sched19s14) - 06/03/2024

Form of oath of allegiance to be used

**5** Except where otherwise specially provided, the form hereinbefore set forth, and no other, is the oath of allegiance to be administered to and taken by every person in Ontario, who, either of his or her own accord or in compliance with any lawful requirement made on him or her or in obedience to the directions of any Act, desires to take an oath of allegiance. R.S.O. 1990, c. P.45, s. 5.

Who may administer oath of allegiance

**6** All provincial judges and all other officers lawfully authorized, either by virtue of their office or by special commission from the Crown for that purpose, may administer the oath of allegiance in any part of Ontario. R.S.O. 1990, c. P.45, s. 6.

**7-11** Repealed: 2024, c. 2, Sched. 17, s. 1.

**Section Amendments with date in force (d/m/y)**

[2024, c. 2, Sched. 17, s. 1](http://www.ontario.ca/laws/statute/S24002" \l "sched17s1) - 06/03/2024

**12** Repealed: 2002, c. 24, Sched. B, s. 25.

**Section Amendments with date in force (d/m/y)**

[2002, c. 24, Sched. B, s. 25](http://www.ontario.ca/laws/statute/S02024" \l "schedbs25) - 01/01/2004

**13** Repealed: 2024, c. 2, Sched. 17, s. 1.

**Section Amendments with date in force (d/m/y)**

[2002, c. 17, Sched. F, Table](http://www.ontario.ca/laws/statute/S02017" \l "schedfs2) - 01/01/2003

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

[2024, c. 2, Sched. 17, s. 1](http://www.ontario.ca/laws/statute/S24002" \l "sched17s1) - 06/03/2024

**14** Repealed: 2024, c. 2, Sched. 17, s. 1.

**Section Amendments with date in force (d/m/y)**

[2024, c. 2, Sched. 17, s. 1](http://www.ontario.ca/laws/statute/S24002" \l "sched17s1) - 06/03/2024

Procedure against person who has ceased to be a public officer for retaining money, books, etc.

**15** Where a person who has been, but has ceased to be, a public officer, retains possession of any accounts, money, books, papers, matters or things that have been in his or her possession as such officer, a judge of the Superior Court of Justice, upon application of the successor in the office of such person or of the Attorney General or of some person by his or her authority, and on notice to the person affected, may order that such accounts, money, books, papers, matters and things be forthwith delivered to such successor in office or to such person as the judge may direct, and in default that such person be committed to a correctional institution for such period as the judge may direct, or until he or she complies with the directions of the order, and may authorize the sheriff for the area in which the same may be found to forthwith seize and take such accounts, money, books, papers, matters and things, and deliver them to the persons to whom they have been directed to be delivered. R.S.O. 1990, c. P.45, s. 15; 2006, c. 19, Sched. C, s. 1 (1).

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

Procedure when public officer interested in question before him

**16** Where by any general or special Act any person or the occupant for the time being of any office is empowered to do or perform any act, matter or thing and such person or the occupant for the time being of such office is disqualified by interest from acting and no other person is by law empowered to do or perform such act, matter or thing, then he or she or any interested person may apply, upon summary motion, to a judge of the Superior Court of Justice, who may appoint some disinterested person to do or perform the act, matter or thing in question. R.S.O. 1990, c. P.45, s. 16; 2006, c. 19, Sched. C, s. 1 (1).

**Section Amendments with date in force (d/m/y)**

[2006, c. 19, Sched. C, s. 1 (1)](http://www.ontario.ca/laws/statute/S06019" \l "schedcs1s1) - 22/06/2006

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