

## No. IX.

### OATHS OF OFFICE. An Act to simplify the Oaths of Qualification for Office. [20th January, 1857.]

Preamble. WHEREAS it is expedient to simplify the Oaths to be taken as a qualification for public offices and appointments and on the admission of barristers and attorneys and to amend the law as to the Oaths and Declaration required to be taken on certain appointments Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

*Oaths of Office.*

1. After the commencement of this Act in every case where but for the passing of this Act it would be necessary for any person to take the Oaths commonly called the Oaths of Allegiance Supremacy and Abjuration or any of them or the Oath prescribed by the Act of Parliament commonly called the Roman Catholic Relief Act or to make the Declaration prescribed by the Act of Parliament passed in the ninth year of the reign of King George the Fourth chapter seventeen it shall be sufficient for such person to take in lieu of the said several Oaths and Declaration the Oath set forth in the first Schedule to this Act anything in the said Acts of Parliament or in any other Statute Act or Law notwithstanding.

Oath substituted for the Oaths and Declaration now prescribed by law.

2. Where by any law now in force in this Colony the said several Oaths or any of them may be taken before the Supreme Court or before a Judge or are required to be taken in open Court the Oath prescribed by this Act may be taken and subscribed at any hour before the said Court or any Judge thereof or before any Circuit Court or Court of Quarter Sessions or any Justice of the Peace authorized by Writ of *Dedimus Potestatem* for that purpose.

Before whom the Oath may be taken.

3. The Oath of Office to be hereafter taken by Judges and Justices of the Peace respectively shall (in lieu of the Oath in that behalf heretofore taken by them respectively) be the Oath set forth in the second Schedule hereto.

Judges and Justices Oaths of Office.

4. In case of the demise of Her Majesty (whom may God long preserve) the name of Her Majesty's Successor for the time being shall be substituted in the form of Oath instead of the name of Her Majesty.

Name of the Sovereign.

5. Every person who now is or shall hereafter be by law entitled to make Affirmation in lieu of an Oath may make Affirmation in the form by this Act prescribed with the words "*solemnly and sincerely promise and affirm*" substituted for the words "*sincerely promise and swear*" in the said first and second Schedules hereto.

Affirmation in lieu of Oath.

**FIRST SCHEDULE.**

(Oath of Allegiance.)

I A. B. do sincerely promise and swear that I will be faithful and bear true Allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Colony of New South Wales belonging to and dependent on the said United Kingdom and to Her Successors in the Sovereignty of the said United Kingdom.

[So help me God.]

**SECOND SCHEDULE.**

I A. B. do sincerely promise and swear that as a Judge of the Supreme Court of New South Wales [or as the case may be] or as a Justice of the Peace for the Colony of New South Wales or the City or District of in the Colony of New South Wales I will at all times and in all things do equal justice to the poor and the rich and discharge the duties of my office according to the laws and statutes of the Realm and of this Colony to the best of my knowledge and ability without fear favour or affection.