



# Northern Ireland Constitution Act 1973

## 1973 CHAPTER 36

### PART III

#### PREVENTION OF RELIGIOUS AND POLITICAL DISCRIMINATION

#### **21 Unlawful oaths, undertakings and declarations**

- (1) Subject to subsections (2) and (3) below, it shall be unlawful for an authority or body to which this section applies to require any person to take an oath, make an undertaking in lieu of an oath or make a declaration, as a condition of his being appointed to or acting as a member of that authority or body, or of serving with or being employed under that authority or body.
- (2) Subsection (1) above shall not prevent a person being required to take an oath or make an undertaking or a declaration which is specifically required or authorised to be taken or made—
  - (a) by the law in force immediately before the coming into force of that subsection ; or
  - (b) by or under this Act or by a subsequent Measure for the time being in force ;but, except as aforesaid, has effect notwithstanding anything in any enactment, any Measure or any instrument made under an enactment or a Measure.
- (3) Subsection (1) above shall not prevent a person being required to make a declaration of acceptance of office or a declaration that he is qualified to act, serve or be employed, or not disqualified from acting, serving or being employed, in any capacity.
- (4) This section applies to the Assembly and to any authority or body listed in Schedule 1 to the Parliamentary Commissioner Act (Northern Ireland) 1969 or Schedule 1 to the Commissioner for Complaints Act (Northern Ireland) 1969.
- (5) Subsections (1) to (3) above shall apply with the necessary modifications to a member of the Northern Ireland Executive or other person appointed under section 8 above as they apply to any such authority or body.

*Status: This is the original version (as it was originally enacted).*

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- (6) Subsections (2) and (3) of section 19 above shall apply in relation to subsection (1) above as they apply in relation to subsection (1) of that section.