



Promissory Oaths Act 1871

1871 CHAPTER 48

1 Repeal of Acts.

The Acts specified in the first parts of the first, second, and third schedules and in the fourth schedule to this Act are hereby wholly repealed, and the Acts specified in the second parts of the first, second, and third schedules to this Act are hereby repealed to the extent in the third column of those parts of the said schedules mentioned; provided that,—

- (1) This repeal shall not affect the validity, invalidity, effect, or consequences of anything done or suffered before the passing of this Act, or any status, capacity, right, title, or indemnity existing, acquired, or accrued before the passing of this Act, or any remedy or proceeding in respect thereof, or any privilege, exemption, or benefit to which any person would be entitled if this Act had not passed.
- (2) Where by the recited Acts or this Act any person is prevented or relieved from taking any oath or making or subscribing any declaration, the taking, making, or subscribing of which forms a condition precedent or subsequent to the attainment by such person of any office, privilege, exemption, or other benefit, or the due performance of any act, such person shall nevertheless, on complying with the other conditions, if any, attached to the attainment of such office, privilege, exemption, or other benefit, or the due performance of such act, be entitled thereto, and be deemed duly to have performed such act, in the same manner as if the condition relating to such oath or declaration, and any directions as to the certificate or registration of the taking of such oath, or making or subscribing such declaration, or otherwise, had been fulfilled and performed.

2 Persons before whom oaths to be taken.

Whereas by the Promissory Oaths Act, 1868, it is provided that the oaths of allegiance and judicial oath should be taken by each of certain officers therein mentioned, in manner in which the oaths required to be taken by such officer previously to the passing of that Act would have been taken; and it is desirable, with a view to the revision of the statute law, to define the manner in which such oaths are to be taken: Be it enacted that each such officer shall take the said oaths before such persons as Her Majesty may from time to time appoint; or,

Status: This is the original version (as it was originally enacted).

In England, before the Lord High Chancellor of Great Britain, or in the Court of Chancery, Queen's Bench, Common Pleas, or Exchequer, in open court before one or more of the judges of such court, or in open court at the general or quarter sessions of the peace for the county, borough, or place in which the person taking the oaths acts as justice :

In Scotland, in the Court of Session in open court before one or more of the judges of that court, or in open court at the quarter Sessions of the peace for the county, borough, or place in which the person taking the oaths acts as justice, or in open court before the court of the sheriff of the county for which the person taking the oaths acts as justice :

In Ireland, before the Lard Chancellor of Ireland, or in the Court of Chancery, Queen's Bench, Common Pleas, or Exchequer, in open court before one or more of the judges of such court, or at the quarter sessions of the peace for the county in which the person taking the oath acts as justice.

3 Short title.

This Act may be cited as "The Promissory Oaths Act, 1871."