

Uganda

Oaths Act

Chapter 19

Legislation as at 31 December 2000

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Oaths Act

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Uganda

Oaths Act

Chapter 19

Commenced on 9 October 1963

[This is the version of this document at 31 December 2000.]

[Note: The version of the Act as at 31 December 2000 was revised and consolidated by the Law Reform Commission of Uganda. All subsequent amendments have been researched and applied by Laws.Africa for ULII.]

An Act to consolidate the law relating to the taking of oaths and for purposes connected therewith.

1. Oaths to be taken

The oaths which shall be taken as occasion shall demand shall be the oaths set out in the First Schedule to this Act.

2. Officers to take oaths

A person appointed to an office set out in the second column of the Second Schedule to this Act shall take the oath specified in the first column of the Schedule which shall be administered by the authority specified in the third column of the Schedule.

3. Unnecessary repetition of oaths

- (1) No person who has duly taken the Oath of Allegiance or the Judicial Oath in Uganda as provided in this Act shall be required again to take that oath on appointment to any other office or on any other occasion.
- (2) A person appointed to act in any office or capacity in the place of any other officer or person shall not be required to take any oath on the occasion of that appointment, unless the oath required to be taken in respect of that appointment is different from or in addition to any oath duly taken by that person in respect of any other appointment, permanent or temporary.

4. Omission to take oath or make affirmation

Nothing in this Act shall render, be deemed to render or be deemed to have rendered invalid any act done or which hereafter may be done by a public officer in the execution or intended execution of his or her official duties by reason only of the omission by the public officer to take any oath or to make any affirmation which the officer should take or should have taken or should make or should have made; except that any person who declines, neglects or omits to take the required oath or make the required affirmation under this Act shall—

- (a) if he or she shall have already entered on his or her office, be deemed to have vacated that office from the date of refusal; and
- (b) if he or she shall not have already entered on his or her office, be disqualified from entering on the office.

5. Form and manner in which oath may be taken

- (1) Whenever any oath is required to be taken under the provisions of this or any other Act, or in order to comply with the requirements of any law in force for the time being in Uganda or any other

country, the following provisions shall apply, that is to say, the person taking the oath may do so in the following form and manner—

- (a) he or she shall hold, if a Christian, a copy of the gospels of the four evangelists or of the New Testament, or if a Jew, a copy of the Old Testament, or if a Moslem, a copy of the Koran, in his or her uplifted hand, and shall say or repeat after the person administering the oath the words prescribed by law or by the practice of the court, as the case may be;
 - (b) in any other manner which is lawful according to any law, customary or otherwise, in force in Uganda.
- (2) For the purposes of this section, where a person taking the oath is physically incapable of holding the required copy in his or her uplifted hand, he or she may hold the copy otherwise, or, if necessary, the copy may be held before him or her by the person administering the oath.

6. Place and date of oath

Every commissioner for oaths or notary public before whom any oath or affidavit is taken or made under this Act shall state truly in the jurat or attestation at what place and on what date the oath or affidavit is taken or made.

7. Absence of religious belief

Where an oath has been duly administered and taken, the fact that the person to whom it was administered had, at the time of taking the oath, no religious belief, shall not for any purpose affect the validity of the oath.

8. Affirmation

Any person who objects to the taking of an oath and desires to make an affirmation in lieu of the oath may do so without being questioned as to the grounds of that objection or desire, or otherwise; and in any such case the form of the required oath shall be varied by the substitution for the words of swearing, the words, “I solemnly, sincerely and truthfully affirm that”, and such other consequential variations of form as may be necessary shall thereupon be made; except that in any case where the Oath of Allegiance is taken, for the words “truthfully affirm” in this section there shall be substituted the words “truly declare and affirm”, and the words “So help me God” shall be omitted.

9. Persons under age

- (1) Notwithstanding [sections 1 to 8](#), if it appears to a court or officer before whom an oath other than a promissory oath is to be taken or affirmation other than a promissory affirmation is to be made that the person about to take the oath or make the affirmation ought not—
- (a) by reason of immature age; or
 - (b) for any other sufficient cause,
- to be allowed to take the oath or make the affirmation as aforesaid, the court or officer may, if the court or officer in its or his or her free discretion so thinks fit, allow that person, in lieu of taking the oath or making the affirmation, to give evidence or make a declaration without oath or affirmation.
- (2) In any case falling within subsection (1), the court or officer shall enter in the minutes of the proceedings or on the instrument or document concerned, as the case may be, a note of the fact of the evidence or declaration having been given or made without oath or affirmation, and of the reasons therefor; except that if any person declining or objecting to take an oath shall, in the opinion of the court or officer, as the case may be, be competent to make an affirmation, that person shall, on the court or officer so directing him or her, thereupon make an affirmation as provided by [section 8](#).

10. Corroboration

No person shall be convicted or judgment given upon the uncorroborated evidence of a person who shall have given his or her evidence without oath or affirmation.

11. Authority to administer oaths

- (1) The Chief Justice, a judge of the High Court, the chief registrar of the High Court, a magistrate, a notary public and any commissioner for oaths may administer any lawful oath or take any lawful affirmation or affidavit which may be required to be taken or made for the purpose of complying with the requirements of this Act or of any law for the time being in force in Uganda or elsewhere, except where such procedure is expressly or by necessary implication manifestly excluded by the terms of such law as aforesaid; and the presumption shall be against any such exclusion.
- (2) The registrar of any court and the officer performing the duties of registrar in any court may, with the approval, and subject to the supervision and control of the person presiding over the court, administer or tender to any person about or intending to give evidence before that court any oath, affirmation, or declaration which that person may require or be required to make before that court.

12. Taking oaths out of Uganda

- (1) Any oath or affidavit required for any court or matter in Uganda, or for the purpose of the registration of any instrument in any part of Uganda, may be taken or made in any place out of Uganda before any person having authority to administer an oath in that place.
- (2) In the case of a person having such authority otherwise than by the law of a country out of Uganda, judicial and official notice shall be taken of his or her seal or signature affixed, impressed or subscribed to or on any such oath or affidavit.

13. Powers of Uganda officials abroad

- (1) Every Uganda official of the rank of secretary or above in a Uganda embassy or legation or consulate may in any country where he or she exercises his or her functions administer any oath and take any affidavit and also do any notarial act which any notary public can do within Uganda.
- (2) Any oath, affidavit and notarial act administered, sworn or done before any such person shall be as effectual as if duly administered, sworn or done by or before any lawful authority in any part of Uganda.
- (3) Any document purporting to have affixed, impressed or subscribed on it or to it the seal or signature of any person authorised by this section to administer an oath, in testimony of any oath, affidavit or act being administered, taken or done by or before him or her shall be admitted in evidence without proof of the seal or signature of that person, or of the official character of that person.

14. Additional oaths

- (1) The President may in writing require the holder of any office to take or affirm the Judicial Oath or the Oath of Allegiance.
- (2) The President may by statutory instrument amend the First and Second Schedules to this Act and may by the same or any other statutory instrument make regulations providing that this Act shall apply in relation to persons who are not citizens of Uganda subject to such modifications as may be prescribed by the regulations.

First Schedule (Section 1)

Oaths to be taken

Oath of President/Vice President

I, _____, swear in the name of the Almighty God/solemnly affirm that I shall faithfully exercise the functions of the President/Vice President of Uganda and shall uphold, preserve, protect and defend the Constitution and observe the laws of Uganda and that I shall promote the welfare of the people of Uganda. (So help me God.)

Oath of allegiance

I, _____, swear in the name of the Almighty God/solemnly affirm that I will be faithful and bear true allegiance to the Republic of Uganda and that I will preserve, protect and defend the Constitution. (So help me God.)

Cabinet oath

I, _____, being appointed a member of the Cabinet, swear that I will not directly or indirectly reveal such matters as shall be debated in the Cabinet and committed to my secrecy. (So help me God.)

Oath of Minister

I, _____, being appointed a Minister of Uganda swear in the name of the Almighty God/solemnly affirm that I will at all times well and truly serve the Republic of Uganda in the office of a Minister; and that I will support and uphold the Constitution of the Republic of Uganda as by law established; and that I will to the best of my judgment at all times when required, freely give my counsel and advice to the President of Uganda and his/her successors in office as by law established for the good management of the public affairs of the Republic of Uganda; and that I will not directly or indirectly reveal any matters as shall come to my knowledge in the discharge of my duties and committed to my secrecy. (So help me God.)

Judicial oath

I, _____, swear in the name of the Almighty God/solemnly affirm that I will well and truly exercise the judicial functions entrusted to me and will do right to all manner of people in accordance with the Constitution of the Republic of Uganda as by law established and in accordance with the laws and usage of the Republic of Uganda without fear or favour, affection or ill will. (So help me God.)

Speaker/Deputy Speaker's oath

I, _____, swear in the name of the Almighty God/solemnly affirm that I will at all times well and truly serve the Republic of Uganda in the Office of Speaker/Deputy Speaker and that I will support and uphold the Constitution of the Republic of Uganda as by law established. (So help me God.)

Oath of Member of Parliament

I, _____, swear in the name of the Almighty God/solemnly affirm that I will give faithful service to this Parliament and support and uphold the Constitution of the Republic of Uganda as by law established. (So help me God.)

Oath of Secretary to the Cabinet

I, _____, being called upon to exercise the functions of Secretary to the Cabinet of Uganda swear in the name of the Almighty God/solemnly affirm that I will not directly or indirectly reveal such matters as shall be debated by the Cabinet and committed to my secrecy. (So help me God.)

Official oath

I, _____, swear that I will at all times well and truly serve the Republic of Uganda in the office of and that I will support and uphold the Constitution of the Republic of Uganda as by law established. (So help me God.)

Oath of secrecy

I, _____, swear that I will not directly or indirectly communicate or reveal any matter to any person which shall be brought under my consideration or shall come to my knowledge in the discharge of my official duties except as may be required for the discharge of my official duties or as may be specifically permitted by the President. (So help me God.)

Uganda Peoples' Defence Forces oath

I, _____, swear that I will bear true and faithful allegiance to the President, Supreme Commander-in-Chief of the Uganda Peoples' Defence Forces, and that I will well, truly and faithfully serve the Government of the Republic of Uganda as by law established and that I will as in duty bound serve in the Uganda Peoples' Defence Forces and go wherever ordered by air, land or sea and that I will observe and obey all commands of the Government of the Republic of Uganda as by law established and of any officer set over me even to the peril of my life. (So help me God.)

Signature or mark

Sworn at _____ this ____ day of _____, 20 ____.

Before me

Officer

Police oath***Form A******Oath***

I, _____, swear that I will bear true allegiance to the Republic of Uganda and that I will truly and faithfully obey all lawful commands of the Government of the Republic of Uganda as by law established and of any officer set over me, serving in the office of _____ for the preservation of peace and prevention of crime and the apprehension of offenders against peace in all respects to the best of my skill and knowledge, discharging all duties of the office according to law. (So help me God.)

Form B***Declaration***

I, _____, solemnly, sincerely and truly declare and affirm that I will bear true allegiance to the Republic of Uganda and that I will truly and faithfully obey all lawful commands of the Government of the Republic of Uganda as by law established and of any officer set over me, serving in the office of _____ for the preservation of peace and the prevention of crime and the apprehension of offenders against peace in all respects to the best of my skill and knowledge, discharging all duties of the office according to law.

Declarant

Affirmed and declared at _____, this _____, day of _____, 20 ____.

Before me

Person authorised

Form C

Oath, officers and men of Volunteer Reserve and Special Constables

I, _____, swear that I will bear true allegiance to the Republic of Uganda and that I will well and truly serve and obey all lawful commands of the Government of the Republic of Uganda as by law established and that I will faithfully serve in the Uganda Volunteer Police Reserve in the district of _____. (So help me God.)

Form D

Declaration, officers and men of Volunteer Reserve and Special Constables

I, _____, solemnly, sincerely and faithfully declare that I will bear true allegiance to the Republic of Uganda and that I will well and truly serve and obey all lawful commands of the Government of the Republic of Uganda as by law established and that I will faithfully serve in the Uganda Volunteer Police Reserve in the district of _____

Declarant

Declared at _____ this _____ day of, 20 ____.

Officer

Prisons oath

I, _____, swear that I will bear true allegiance to the Republic of Uganda and that I will truly and faithfully obey all lawful commands of the Republic of Uganda as by law established, and of any officer set over me, and shall subject myself to all Acts of Parliament, orders and regulations relating to the prisons service. (So help me God.)

Court proceedings

Oath of jurors

I, _____, swear by Almighty God that I will well and truly try the issue joined between the Republic of Uganda and the prisoner at the bar and a true verdict give according to the evidence.

Oath of assessors

I, _____, swear by Almighty God that I will well and truly try the issue joined between the Republic of Uganda and the prisoner at the bar and a true opinion give according to the evidence.

Evidence oath

I, _____, swear by Almighty God that the evidence I shall give shall be the truth, the whole truth and nothing but the truth.

Interpreter's oath (civil)

I, _____, swear by Almighty God that I will well and truly interpret and explain to the court and the witnesses all such matters and things as shall be required of me to the best of my skill and understanding.

Interpreter's oath (criminal)

I, _____, swear by Almighty God that I will well and faithfully interpret and true explanation make between the court, the assessors/the jury, the witnesses and the prisoner at the bar according to the best of my skill and understanding.

Shorthand writer's oath

I, _____, swear by Almighty God that I will to the best of my ability take down in shorthand the evidence and such other matters as shall be required of me and make a true and accurate transcript thereof and that I will not without leave of the court/commission divulge to any person the notes I shall take of the evidence that the witness shall give to the court/commission touching matters in question.

Voire dire oath

I, _____, swear by Almighty God that I will true answer make to all such questions as the court (or as the case may be) shall demand.

Insanity

I, _____, swear by Almighty God that I will diligently inquire and true presentment make for and on behalf of the Republic of Uganda whether the prisoner at the bar who stands indicted for the offence of _____ is insane or not (or was of sound mind or not at the time of the commission of the offence with which he (or she) stands indicted) and a true verdict give according to the evidence.

Trial of a mute

I, _____, swear by Almighty God that I will well and truly try whether the prisoner at the bar stands mute of malice (or will not answer directly to the indictment wilfully and of malice) or by the visitation of God, and a true verdict give according to the evidence.

Form of attestation

Declared at _____ in the district of _____ this _____ day of _____, 20____.

Before me

Commissioner for Oaths/Notary Public, etc.

Oath for affidavits

Form A

General form

I, _____, swear by Almighty God that this is my name and handwriting and that the facts deposed by me in this affidavit are the truth, the whole truth and nothing but the truth.

Form B

Blind or illiterate deponent

I, _____, swear by Almighty God that the facts deposed by me in the affidavit are the truth, the whole truth and nothing but the truth.

Form of jurat (where the commissioner has read the affidavit to deponent)

Sworn at _____ in the district of _____ this _____ day of _____, 20____, before me, I having first truly, distinctly and audibly read over the contents of this affidavit to

the deponent he (or she) being blind or illiterate and explained the nature and contents of the exhibits referred to in the affidavit in the _____ language. The deponent appeared perfectly to understand the same and made his (or her) mark (or signature) thereto in my presence.

Commissioner for Oaths

Form of jurat (where a third person has read the affidavit to deponent)

Sworn at _____ in the district of _____ this _____ day of _____, 20 ____, before me, and I certify that this affidavit was read over in my presence to the deponent he (or she) being blind or illiterate and the nature and contents of the exhibits referred to in the affidavit explained to him (or her) in the _____ language. The deponent appeared perfectly to understand the same and made his (or her) mark (or signature) thereto in my presence.

Commissioner for Oaths

Form C

(if the deponent is physically incapable of taking the oath with uplifted hand)

_____ (deponent), is that your mark (signature)? You do swear by Almighty God that the contents of this your affidavit are true?

Form of jurat (if the deponent is capable of affixing a distinguishable mark to the affidavit)

Sworn at _____ in the district of _____ this _____ day of _____, 20 ____, before me, _____ (deponent) having made his (or her) mark to this affidavit in my presence, he (or she) being physically incapacitated from writing his (or her) name.

Commissioner for Oaths

Form of jurat (if the deponent is incapable of affixing any distinguishable mark whatever to the affidavit)

Sworn by the above-named _____ (deponent) at _____ in the district of _____ this ____ day _____ of _____ without the deponent affixing thereto any mark or signature, he (or she) being physically incapable of so doing.

Before me

Commissioner for Oaths

Form D

Deaf and dumb deponent

Commissioner for oaths should while pointing to signature of deponent to the affidavit ask the deponent:

Is that your name and handwriting?

On his or her answering by an affirmative gesture the following words should be laid before him or her:

You do swear by Almighty God that the contents of this your affidavit are true.

Form of jurat

Sworn at _____ in the district of _____ this _____ day of _____, 20 ____, I first having satisfied myself that the deponent deposed to the facts and affixed his (or her) signature or mark accordingly.

Before me

Commissioner for Oaths

Form E

Interpreter

I swear by Almighty God that I well understand the English language and the ____ language and that I have truly, distinctly and audibly interpreted the contents of this affidavit to the deponent, _____, in the _____ language and that I will truly interpret the oath about to be administered unto him (or her).

Form of jurat

Sworn at _____ in the district of _____ this ____ day of _____, 20 __, through the interpretation of _____ of _____, (address) the said _____ having first been sworn that he (or she) had truly and faithfully interpreted the contents of this affidavit to the deponent, _____, and that he (or she) truly and faithfully interpreted the oath administered to him (or her).

Before me

Commissioner for Oaths

Vesting order proceedings oath

I, _____, swear by Almighty God that the statements I shall make for the purposes of a vesting order shall be true statements of fact to the best of my knowledge, information and belief.

Second Schedule (Section 2)
Persons to take and tender oaths

Nature of oath	Person to take oath	Person to tender oath
Presidential Oath	The President The Vice President	The Chief Justice
Oath of Allegiance	The President The Chief Justice The Ministers The Speaker The Attorney General The judges of the High Court The Chief of the Defence Staff Parliamentary secretaries Members of Parliament Such public officers as may be designated by the President The Inspector General of Police	The President or the Chief Justice or a person authorised by the President or in the case of the Speaker the clerk to Parliament and in the case of members of Parliament the Speaker or the clerk to Parliament
Oath of Minister	The Ministers	The President
Judicial Oath	The Chief Justice The Deputy Chief Justice The Principal Judge The Justices of the Supreme Court The Justices of Appeal The judges of the High Court Commissioners of Inquiry The chief registrar and registrars of a court Chief magistrates, magistrates appointed under the Magistrates Courts Act Such administrative officers as exercise judicial functions	The President or the Chief Justice or a person authorised by the President

	Such other officers exercising judicial functions as the President may by statutory order designate	
Oath of Speaker/ Deputy Speaker	Speaker/Deputy Speaker	The President or a person authorised by the President
Oath of Member of Parliament	Members of Parliament	The Speaker or the clerk to Parliament
Oath of Secretary to the Cabinet	The Secretary to the Cabinet	The President or the person presiding at the first meeting of the Cabinet after the appointment of the person taking the oath
Official Oath	<p>The Auditor General</p> <p>Members of the Public and Judicial Service Commissions</p> <p>Such public officers as may be designated by the President</p> <p>Such other persons holding office or executing official functions as the President may by statutory order designate</p>	The President or a person authorised by him or her
Oath of Secrecy	<p>Such public officers as may be designated by the President</p> <p>Such other persons holding or executing official functions as the President may by statutory order designate</p>	Head of a Ministry or a person appointed by him or her
Uganda Peoples' Defence Forces Oath	Members of the Uganda Peoples' Defence Forces	The chief of defence staff or any officer authorised by him or her
Police Oath	Members of the police force	The Inspector General of Police or any officer authorised by him or her
Prisons Oath	Members of the prisons service	The Commissioner of Prisons or any officer authorised by him or her
Court Proceedings	A witness before a competent court or before a commission of inquiry	Clerk of the court or the secretary to the commission

Affidavit	The person swearing	A commissioner for oaths or a chief registrar of the High Court authorised in that behalf by the Chief Justice
Vesting Order Proceedings Oath	A witness before the chief registrar or deputy chief registrar of titles	Chief registrar or deputy chief registrar of titles