



MINISTRY OF DEFENCE

OATHS AND AFFIRMATIONS

Armed Forces (Summary Appeal Court) Rules 2009, rule 28(3) and Schedule 1.

Part 1 - Manner of administering oaths and affirmations

1. The person taking the oath shall hold the New Testament, or if a Jew the Old Testament, in his uplifted hand and shall say, or repeat after the person administering it, the oath provided in Part 2 of this annex for that category of person.
2. If any person to whom an oath is administered desires to swear in the form and manner in which an oath is usually administered in Scotland, he may do so with uplifted hand and saying or repeating after the person administering it, the Scottish oath provided in Part 3 of this annex for that category of person.
3. If a person objects to swearing an oath he shall be permitted to make a solemn affirmation instead of taking an oath as provided in Part 4 of this annex. In a case where it is not reasonably practicable, without convenience or delay to administer an oath in the manner appropriate to a person's religious belief, he shall be permitted to make a solemn affirmation instead of taking an oath. Moreover, in such a case the person may be required to make a solemn affirmation.

Part 2 - Forms of oath

Lay members

I swear by Almighty God that I will well and truly try the appellant before the court according to the evidence; I will duly administer justice according to law and without partiality, favour or affection; and I will not on any account, at any time whatsoever, disclose the vote or opinion of any member of the Summary Appeal Court, unless required to do so in due course of law.

Persons in attendance for instruction

I swear by Almighty God that I will not on any account, at any time whatsoever, disclose the vote or opinion of any member of the Summary Appeal Court, unless required to do so in due course of law.

Witness

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

Interpreter

I swear by Almighty God that I will well and faithfully interpret and make true explanation of all such matters and things as shall be required of me according to the best of my skill and understanding.

Part 3 – Form of Scottish oath

The form of Scottish oath for a witness is 'I swear by Almighty God that I will tell the truth, the whole truth and nothing but the truth'*

* For Scottish oaths in criminal proceedings see the Act of Adjournment (Criminal Proceeding Rules) 1996. SI 1996/513

Part 4 - Form of solemn affirmation

I [full name] do solemnly, sincerely and truly declare and affirm the evidence I shall give shall be the truth, the whole truth, and nothing but the truth.