

CHAPTER 266
THE OFFICIAL OATHS ACT
[PRINCIPAL LEGISLATION]
ARRANGEMENT OF SECTIONS

Section Title

1. Short title and construction.
2. Forms of oaths.
3. Affirmation.
4. President's oaths.
5. Minister's oaths.
6. Deputy Minister's oaths.
7. Judges's oath.
8. Speaker's oaths.
9. Oath of allegiance.
10. Judge's/Judicial Officers oath.
11. Official oath.
12. Oath of secrecy.
13. Oath of justice of peace.
14. Unnecessary repetition of oaths.
15. Omission to take oath not to invalidate acts.
16. Oaths to be recorded and attested.
17. Oaths by persons who are not citizens.
18. Power to amend Second Schedule.
19. Repeal.

SCHEDULES

CHAPTER 266

THE OFFICIAL OATHS ACT

An Act to prescribe the oath of allegiance and the oaths to be taken by the President and other persons in the service of the United Republic, and for other related matters.

[9th December, 1962]

C. A.
Act No.
8 of 1962
[R.L. Cap. 506]
Acts Nos.
55 of 1963
10 of 1980
17 of 1989
10 of 2013
1 of 2023

Short title and
construction

1.-(1) This Act may be cited as the Official Oaths Act.

(2) Except as otherwise provided in any other written law in relation to any oath to be taken in connection with any office, the form of the official oaths to be taken in connection with public office shall be as prescribed by this Act.

Forms of oaths
Act No.
17 of 1989
Sch.

2.-(1) The oath of allegiance, the oath of the President, the oath of a Minister, Judge's/Judicial Officers oath, the speaker's oath, the official oath and the oath of secrecy shall be in the forms set out in the First Schedule.

(2) A person may take any such oath, or an affirmation in lieu of it, in either the English or the Swahili form.

Affirmation

3. Where a person expresses any objection to taking an oath or expresses a desire to make an affirmation in lieu of it, he may, without being further questioned as to the grounds of the objection or desire, make a solemn affirmation in the form of the oaths appointed in this Act, substituting the words "solemnly and sincerely declare and affirm" for the word "swear" and omitting the words "So help me God".

President's oaths **4.** The oaths to be taken by the President on his assumption of office shall be tendered by and subscribed before the Chief Justice.

Minister's oaths **5.** In addition to the oath of allegiance, every Minister shall take and subscribe the oaths of a Minister, and those oaths shall be tendered by and subscribed before the President.

Deputy Minister's oaths
Act No.
10 of 1980,
Sch. **6.** In addition to the oath of allegiance, every Deputy Minister shall subscribe to the official oath, and every oath, shall be tendered by and subscribed before the President.

Judges's oath
Act No.
10 of 2013 s.39 **7.** In addition to the oath of allegiance, the Chief Justice, Jaji Kiongozi, a Justice of the Court of Appeal and a Judge of the High Court shall take and subscribe the judicial oath before the President.

Speaker's oaths
Act No.
17 of 1989
Sch. **8.** In addition to the oath of allegiance, the Speaker shall take and subscribe the oath of the Speaker of the National Assembly, and those oaths shall be tendered and subscribed before the National Assembly.

[s. 7A]

Oath of allegiance **9.** The President may require any person holding or acting in an office in the service of the Republic to take and subscribe the oath of allegiance before any person whom he may appoint.

[s. 8]

Judge's/Judicial Officers oath **10.** The Judge's/Judicial Officers oath, shall be taken and subscribed by every person holding or acting in an office specified in Part I of the Second Schedule before entering upon the duties of his office, before the person specified in that Part in relation to that office.

[s. 9]

- Official oath **11.** The official oath shall be taken and subscribed by every person holding or acting in an office specified in Part II of the Second Schedule before entering upon the duties of his office, before the person specified in that Part in relation to that office.
[s. 10]
- Oath of secrecy
Act No.
10 of 2013 s.40 **12.**—(1) The Secretary to, and any other officers of, the Cabinet, and any persons in attendance to the Cabinet, as the President may direct, shall take and subscribe the oath of secrecy, and that oath shall be tendered by and subscribed before the President.
(2) Subject to subsection (1), where the President is absent, the oath shall be subscribed before the Vice President.
(3) In case both the President and Vice President are absent, the oath shall be tendered by and subscribed before the Prime Minister.
[s. 11]
- Oath of justice of
peace
Act No.
55 of 1963
Sch. **13.** The oath of a justice of the peace shall be taken by a person who becomes or is appointed as a justice of the peace, before he assumes the functions of that office:
Provided that, nothing in this section shall apply to a magistrate who, by virtue of his office as such, is also a justice of the peace.
[s. 11A]
- Unnecessary
repetition of
oaths **14.** Where a person who has taken an oath by reason of the provisions of sections 9, 10, 11 or 12, is appointed to, or to act in, some other office whereby he is required to take the oath of allegiance, the Judge's/Judicial Officers oath, the official oath or the oath of secrecy, or to be in attendance on the Cabinet, he shall not be required to take any oath by reason of that appointment unless the oath required to be taken is different from or in addition to any oath already taken by him and duly recorded in respect of any previous appointment:

Provided that, nothing in this section shall apply to a person on assuming the office of President or to a person appointed a Minister, Deputy Minister or judge.

[s. 12]

Omission to
take oath not to
invalidate acts

15. Nothing in this Act shall render invalid any act done by a person holding office in the service of the United Republic or in attendance to the Cabinet, in the executions or purported executions of his official duties, by reason only of the omission of that person to take an oath which in accordance with the provisions of this Act that he should have taken:

Provided that, where any person declines, neglects or omits to take or subscribe any oath required by this Act to be taken by him which is duly tendered, he shall, if he shall have already entered on his office, vacate the same, and, if he shall not have entered upon the duties of his office, be disqualified from entering the same.

[s. 13]

Oaths to be
recorded and
attested

16. An oath taken in pursuance of the provisions of this Act shall be recorded in a book kept for the purpose and the person tendering the oath shall attest the same in the book, and the book shall be conclusive evidence for all purposes that any oath recorded in it has been duly taken and recorded.

[s. 14]

Oaths by persons
who are not
citizens

17. The taking or subscription of the oath of allegiance by a person who is not and does not subsequent become a citizen of the United Republic shall not render that person liable, after he has ceased to hold office in the service of the Republic, to any duty of allegiance to the Republic:

Provided that, nothing in this section shall be construed as releasing any such person from any allegiance to which a person is subject whether or not he takes any such oath.

[s. 15]

Power to amend
Second Schedule

18. The President may, by order published in the *Gazette*, remove from or add to either of the Parts of the Second Schedule, the name of any office in the service of the United Republic.

[s. 16]

Repeal
Ord. No.
25 of 1932

19. [Repeals the Official Oaths Ordinance.]

[s. 17]

FIRST SCHEDULE

(Made under section 2)

OATH OF ALLEGIANCE

Acts Nos.
55 of 1963
Sch.
17 of 1989
Sch.
10 of 2013 s.41

I, do swear that I will be faithful and bear true allegiance to the United Republic of Tanzania, and that I will preserve, protect and defend the Constitution of Tanzania as by law established. So help me God.

KIAPO CHA UTII

Mimi,, naapa kwamba nitakuwa mwaminifu kwa Jamhuri ya Muungano wa Tanzania na kuitumikia kwa moyo wangu wote na kwamba nitaihifadhi, nitailinda, na kuitetea Katiba ya Tanzania kwa mujibu wa Sheria iliyowekwa. Ewe Mwenyezi Mungu, nisaidie.

OATH OF THE PRESIDENT

I,, do swear that I will faithfully and diligently discharge my duties and perform my functions in the high office of President of the United Republic of Tanzania, and that I will do right to all manner of people, according to the laws and customs of the United Republic, without fear or favour, affection or ill will. So help me God.

KIAPO CHA RAIS

Mimi,, naapa kwamba nitatenda kazi zangu za Urais wa Jamhuri ya Muungano wa Tanzania kwa uaminifu, na kutimiza wajibu wa kazi hizo kwa bidii na kwa moyo mkunjufu, na kwamba nitawatendea haki watu wote kwa mujibu wa sheria, mila na desturi za Jamhuri ya Muungano wa Tanzania, bila woga, upendeleo, huba wala chuki. Ewe Mwenyezi Mungu, nisaidie.

OATH OF THE VICE PRESIDENT/A MINISTER

I,, do swear that I will well and truly serve the United Republic of Tanzania in the office of Vice-President/Minister, that I will to the best of my judgement, at all times when so required, give my counsel and advice to the President of the United Republic of Tanzania for the good management of the public affairs of the United Republic, and that I will not directly or indirectly reveal such matters as shall be referred to the Cabinet and committed to my secrecy. So help me God.

KIAPPO CHA MAKAMU WA RAIS/WAZIRI

Mimi,, naapa kwamba nitaitumikia vema na kwa moyo thabiti Jamhuri ya Muungano wa Tanzania katika kazi zangu za Makamu wa Rais/Uwaziri, na kwa wakati wote nitamshauri kwa hekima na uaminifu Rais wa Jamhuri ya Muungano wa Tanzania na kwa vyovyote vile sitatoa siri za Baraza la Mawaziri. Ewe Mwenyezi Mungu, nisaidie.

SPEAKER'S OATH

I, do hereby take oath that I will well and truly serve the United Republic of Tanzania in the Office of Speaker of the National Assembly and that, in the exercise of the functions of this office I will do right to all manner of persons, according to the Constitution, the Standing Orders of the National Assembly, and the laws and customs of the United Republic, and that I will not directly or indirectly reveal such matters as shall be referred to the National Assembly and committed to my secrecy. So Help me God.

KIAPPO CHA SPIKA

Mimi,, naapa kwamba nitaitumikia vema na kwa moyo thabiti Jamhuri ya Muungano wa Tanzania katika kazi zangu kama Spika wa Bunge, na katika kutimiza wajibu wa cheo hicho nitawatendea haki watu wote kwa mujibu wa Katiba, Kanuni za Bunge, na sheria, mila na desturi za Jamhuri ya Muungano na kwa vyovyote vile sitatoa siri za Bunge. Ewe Mwenyezi Mungu nisaidie.

JUDGE'S/JUDICIAL OFFICER'S OATH

I,, do swear that I will well and truly serve the United Republic of Tanzania in the office of and that I will do justice in accordance with the constitution of the United Republic of Tanzania as by law established, and in accordance with the laws and customs of the United Republic without fear or favour, affection or ill will. So help me God.

KIAPO CHA JAJI/AFISA WA MAHAKAMA

Mimi,, naapa kwamba nitaitumikia vema na kwa moyo thabiti Jamhuri ya Muungano wa Tanzania katika kazi ya na nitafanya haki kwa mujibu wa Katiba ya Jamhuri ya Muungano wa Tanzania, iliyowekwa kwa sheria na kwa kufuata mila, desturi na sheria za Jamhuri ya Muungano wa Tanzania bila hofu, upendeleo, huba wala chuki. Ewe Mwenyezi Mungu nisaidie.

OFFICIAL OATH

I,, do swear that I will well and truly serve the United Republic of Tanzania and the President of the United Republic in the office of..... So help me God.

KIAPO CHA UTUMISHI

Mimi,, naapa kwamba nitaitumikia kwa uaminifu Jamhuri ya Muungano wa Tanzania na Rais wake katika kazi yaEwe Mwenyezi Mungu, nisaidie.

OATH OF SECRECY

I,, having been appointed to, do swear that I will not directly or indirectly reveal such matters as shall be brought under my consideration or shall be made known to me as except as may be required in the discharge of my duties as such or with the authority of the President. So help me God.

KIAPO CHA KUHIFADHI SIRI

Mimi,, naapa kwamba katika kazi yangu ya, kwa vyovyote vile sitatoa siri ambazo nitazijua katika kazi zangu isipokuwa katika kutimiza wajibu wa kazi hizo, au kwa idhini ya Rais. Ewe Mwenyezi Mungu, nisaidie.

OATH OF A JUSTICE OF THE PEACE

I,, do swear that I will well and truly serve the United Republic of Tanzania in the office of Justice of the Peace and that, in the exercise of the functions of that office, I will do right to all manner of persons to the best of my ability and power in accordance with the laws and customs of the Republic. So help me God.

KIAPO CHA MLINZI WA AMANI

Mimi, naapa kwamba nitaitumikia vema na kwa moyo thabiti Jamhuri ya Muungano wa Tanzania katika kazi zangu za Mlinzi wa Amani na kwamba katika kutimiza wajibu wa cheo hicho, nitawatendea haki watu wote kwa kufuata mila, desturi na sheria za Jamhuri ya Muungano. Ewe Mwenyezi Mungu, nisaidie.

SECOND SCHEDULE

(Made under sections 10 and 11)

Act No.

55 of 1963

1 of 2023

G.Ns. Nos.

12 of 1991;

481 of 1991;

69 of 1992;

131 of 1992;

250 of 1992

PART I

Deputy Registrar of the Court of Appeal
Registrar of the High Court and Deputy

Registrar of the High Court, District
Registrar of the High Court

Resident Magistrate;
District Magistrate and
all members other than
the Chairman, of the
Local Government Service
Commission

Primary Court Magistrate - Before a Resident Magistrate or a District
Magistrate

} Before the Principal
Judge or
a High Court Judge

} Before the Chief Justice

PART II

President } Before the Chief Justice
Vice President }

Prime Minister
Minister
Chief Secretary
Member of the Planning Commission
Executive Secretary of the Planning Commission
Deputy Executive Secretaries of the Planning Commission
Deputy Minister
Attorney-General
Registrar of the Court of Appeal
Deputy Attorney-General
Director of Public Prosecutions
Chief Parliamentary Draftsman
Regional Commissioner
High Commissioner and Ambassador
Permanent Secretary
Deputy Permanent Secretary
Private Secretary to the President
Registrar of Political Parties
Deputy Registrar of Political Parties
Regional Development Director
Clerk of the National Assembly
Chief of Defence Forces
Inspector-General of Police
Director-General of Intelligence and Security
Director-General of the Prevention and Combating of
Corruption Bureau
Chief of Staff-Defence Forces
Director of the National Service
Commissioner General of Prisons
Chairman of the Civil Service Commission
Chairman of the Permanent Commission of Enquiry
Chairman of the Local Government Service Commission;
All Commissioners of the Permanent Commission of Enquiry;
Chairman of the Teachers' Service Commission;
Senior Commissioner of Police; and
Commissioner of Prisons.

Before the President

District Commissioner	- Before a Regional Commissioner
Officer in the Foreign Service required by the President to take the oaths	- Before a Permanent Secretary or a Head of Mission.
All Officers of the Police Force of or above the rank of Assistant Superintendent of Police	- Before the Inspector-General of Police; the Senior Commissioner of Police; a Commissioner of Police; a Regional Police Commander or a Commanding Officer.
All Officers of the rank of Director in the Intelligence and Security Services	- Before the Director-General of Intelligence and Security.
The Deputy Director and all Heads of Department of the Prevention and Combating of Corruption Bureau	- Before the Director of the Prevention and Combating of Corruption Bureau.
