

Constitution Act 1900.

Covering Clause 9.

The Constitution of the Commonwealth of Australia.

SECTION 42

Section 42; Oath or affirmation of allegiance.

Every senator and every member of the House of Representatives shall before taking his seat make and subscribe before the Governor-General, or some person authorised by him, an oath or affirmation of allegiance in the form set forth in the schedule to this Constitution.

The Annotated Constitution makes the following comments;

Oath or Affirmation.

There are two forms of oath known in modern legal and official proceedings, commonly called the Scotch oath; secondly, the ordinary oath on the Bible, ending with the words "So help me God." An affirmation is a solemn assertion or denial, omitting the invocation of the Deity.

An unsworn member is only debarred from sitting or voting; he is entitled to all the other rights, privileges, and immunities of a member. His seat, however, is liable to forfeiture if he fails to attend the House for a specified time.

The affirmation prescribed begins with the words "I, *A. B.*, do solemnly, sincerely, and truly declare and affirm," followed by the other words required by law, and omitting any imprecation.

The part *A. B.* is removed and the person's name replaces those two letters.

Schedule.

Oath.

I, *A.B.*, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors according to law. SO HELP ME GOD!

Affirmation.

I, *A.B.*, do solemnly and sincerely affirm and declare that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, Her heirs and successors according to law.

Note: The name of the King or Queen of the United Kingdom of Great Britain and Ireland for the time being is to be substituted from time to time.