



## Oath of Office

### Swearing

### Affirming

I, \_\_\_\_\_  
do swear that I will faithfully discharge my duties as a public servant and will observe and comply with the laws of Canada and Ontario, and, except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being a public servant. So help me God.

I, \_\_\_\_\_  
do solemnly affirm that I will faithfully discharge my duties as a public servant and will observe and comply with the laws of Canada and Ontario, and, except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my being a public servant.

## Oath of Allegiance

### Swearing

### Affirming

I, \_\_\_\_\_  
do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being), her heirs and successors according to law.  
So help me God.

I, \_\_\_\_\_  
do solemnly affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second (or the reigning sovereign for the time being), her heirs and successors according to law.

Indicate which are being sworn/affirmed: ☐ Oath of Office ☐ Oath of Allegiance

Sworn/Affirmed before me at the \_\_\_\_\_  
of \_\_\_\_\_ in the province of Ontario  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature of Public Servant (declarant)

Signature of Oath Administrator

## Instructions - Oath of Office and Oath of Allegiance

**Note:** the Oath of Office and the Oath of Allegiance should be administered at the same time.

1. Who should make the oaths?

All public servants are required to swear or affirm the oaths. See the chart on the next pages.

2. Who can administer the oaths?

The oaths should be administered in person by the appropriate person as set out in regulation (O/Reg 373/07). See the chart on the next pages.

3. When should the oaths be administered?

The oaths should be administered upon commencement of employment/appointment – as close to the start date as possible. If the public servant will begin working at a location where there is no oath administrator available:

- The oath forms must be included in the offer letter for employees, and the employee must sign the forms and return them with their signature on the offer letter. The text under no. 4 below, could be included with the forms to provide the employee with the context.
- The oath administrator must give the oath in person at the earliest opportunity when next on site (see rules above), and should ensure that the employee understands their obligations for ethical conduct.
- The oath administrator must ensure a signed copy is retained in the human resources file.

4. How should the oaths be administered?

The oath administrator should provide an explanation of the oath and how it relates to the ethical framework in the OPS.

*Example:*

*Every public servant must swear or affirm two oaths. This is part of the ethical framework set out in the Public Service of Ontario Act. As a public servant, you are held to a high standard of ethical behaviour. You are working for the people of Ontario, and this comes with responsibility. The Oath of Office expresses the duty to maintain confidentiality and the Oath of Allegiance expresses allegiance to the Crown as the symbol of head of state.*

The oath administrator should ask whether the public servant would like to swear or affirm, and instruct the public servant to follow the appropriate wording. The public servant must read the oath aloud and then sign the form.

The oath administrator must sign the form in the appropriate space provided and ensure a signed copy is retained in the human resources file.

Oaths can also be administered to a group of public servants, (note that each public servant must make the oaths and sign a form).

5. Are there any exemptions to making the oaths?

All public servants must make the Oath of Office. However, there is one exemption to making the Oath of Allegiance. If the public servant is not a citizen of Canada, and believes that making the oath will jeopardize his/her citizenship in another country, he/she can request to be exempt from making the oath. The public servant is not required to provide proof.

## How to complete the form

**Swearing**

**OR**

**Affirming**

I, Enter Name of public servant

I, Enter Name of public servant

(check the appropriate boxes)

Indicate which are being sworn/affirmed: ☐ Oath of Office ☐ Oath of Allegiance

Sworn/Affirmed before me at the (Enter as appropriate: City, Municipality, Territorial District, County, Regional Municipality, etc.)

of Enter specific name (e.g. Toronto, Ottawa, etc.) in the province of Ontario

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature of Public Servant (declarant)

Signature of Oath Administrator

*See chart below*

## Oath Administrators

Public Servant	Persons authorized to administer the oath or affirmation
who works in a ministry, but not in a minister's office	<ul style="list-style-type: none"> <li>the deputy minister of the ministry,</li> <li>a public servant who is employed under Part III of the Act and who exercises managerial functions in a ministry,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
who works in a minister's office	<ul style="list-style-type: none"> <li>a minister,</li> <li>a public servant who is employed under Part III of the Act and who exercises managerial functions in the Office of the Premier, Cabinet Office or minister's office,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
who works in a Commission public body (not an appointee)	<ul style="list-style-type: none"> <li>the public servant's ethics executive as determined under ss 62 (1) of the Act,</li> <li>a public servant who is employed under Part III of the Act and who exercises managerial functions in the Commission public body or in the ministry to whom the Commission public body reports,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
who works in a public body that is not a Commission public body (not an appointee)	<ul style="list-style-type: none"> <li>the public servant's ethics executive as determined under ss 62 (1) of the Act,</li> <li>a public servant who exercises managerial functions in the public body,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
who is a government appointee to a public body	<ul style="list-style-type: none"> <li>the chair of the public body,</li> <li>a lawyer in the public service of Ontario,</li> <li>any other public servant who is an appointed commissioner for taking affidavits.</li> </ul>
who is the chair of a public body	<ul style="list-style-type: none"> <li>a public servant employed under Part III of the Act who works in the Cabinet Office and who is an appointed commissioner for taking affidavits,</li> <li>a lawyer in the public service of Ontario.</li> </ul>

## Who Should Make the Oaths

This chart sets out when oaths should be administered to public servants.

Status of Public Servant	Oaths Required	Oaths Not Required	Comments
<b>Regular Employees in Ministries and Commission Public Bodies</b>			
new regular employee from outside the OPS	√		
new regular employee from fixed term position	√		
<b>Fixed Term Employees in Ministries, Ministers' Offices and Commission Public Bodies</b>			
new fixed term employee	√		
subsequent new fixed term positions (not extensions)	√		
contract extensions		√	<ul style="list-style-type: none"> <li>the original oaths continue to apply</li> </ul>
concurrent or over-lapping fixed term positions	√ (for first position only)		<ul style="list-style-type: none"> <li>the original oaths continue to apply</li> <li>oath administrators should still ensure that employees understand they continue to be bound by the oaths</li> </ul>
seasonal (with or without recall status)	√		<ul style="list-style-type: none"> <li>employees who are re-hired the next season begin a new period of employment and are required to re-make the oaths</li> </ul>
<b>Public Servants in Public Bodies</b>			
new appointees (all public bodies)	√		<ul style="list-style-type: none"> <li>public bodies can establish internal policies on oaths administration for both appointees and employees</li> </ul>
new employees (not Commission public bodies)	√		