

## Act of Settlement 1700



### **A Protestant Monarchy**

The [Act of Settlement 1700](#) was passed to settle the succession to the English and Irish crowns to Protestants only... *"...all and every person and persons who shall or may take or inherit the said crown."*

The next Protestant in line to the throne was the Electress Sophia of Hanover, a granddaughter of James VI of Scotland and I of England, and it was proclaimed that after her the crowns would descend only to her non-Roman Catholic heirs. Under the Act of Settlement: *"...whosoever shall hereafter come to the possession of this crown..."* was forbidden from becoming a Roman Catholic, or marrying one, or else they were disqualified from inheriting the throne. The act also placed limits on both the power of the monarch with respect to the Parliament of England, and decreed that no foreigner or Roman Catholic could: *"...hold any office or place of trust, either civil or military, or to have any grant of lands, tenements or hereditaments from the Crown..."*

As well as being part of the law of the United Kingdom, the Act of Settlement was received into the laws of all the countries and territories over which the British monarch reigned. It remains, after more than two centuries, as one of the main constitutional laws governing the succession, not only to the throne of the United Kingdom, but to those of the 16 Commonwealth realms and the relevant jurisdictions within those realms. It cannot be altered in any realm except by that realm's own parliament and, by convention, only with the consent of all the other realms, as it touches on the succession to the shared Crown. The second paragraph of the [Statute of Westminster Adoption Act 1942](#) states:

*“...in accord with the established constitutional position of all the members of the Commonwealth in relation to one another that any alteration in the law touching the Succession to the Throne or the Royal Style and Titles shall hereafter require the assent as well of the Parliaments of all the Dominions as of the Parliament of the United Kingdom.”*

Today, the provisions in the Act of Settlement that relate to the church of Rome applies only to the monarch themselves and their heirs and successors. This is because the Act primarily deals with the monarch’s position as Supreme Governor of the Church of England, where the title given to King Henry VIII, “*Defender of the Faith*” is fundamental. As Supreme Governor of the Church of England, the monarch is still forbidden from “*holding communion with the church of Rome.*” according to these 1700 provisions. Much of the Oath taken by Elizabeth II at her Coronation likewise applies to her position of Supreme Governor of the Church of England, which doesn’t apply in Australia because neither the Queen, the Governor General, or any state Governor have any religious role in Australia. There has never been an established church in Australia, either before or after Federation.

The [Roman Catholic Relief Act](#) was passed by the UK Parliament in 1829, which overturned the requirement that all Ministers of State must be Protestant “*...and all their Officers and Ministers ought to serve them respectively according to the same.*” Here in Australia, the [Roman Catholic Relief Act 1830](#) was adopted into legislature in all the colonies, including the following in Queensland:

*“Whereas by an Act of Parliament passed in the 10th year of the reign of His present Majesty intituled ‘An Act for the relief of His Majesty’s Roman Catholic Subjects’ all His Majesty’s subjects professing the Roman Catholic religion are relieved from all civil and military disabilities with certain specified exceptions and it is expedient to remove any doubt which may exist as to the application of the said Act to this colony.*

*1 Adopting the British Act of Parliament for the relief of Roman Catholics*

*That the said Act of Parliament extends to and is in force and the same is hereby declared to extend to and be in full force in the State in the same manner in all respects as if the said Act had contained a positive clause to such effect.”*



Queensland

## Roman Catholic Relief Act 1830

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**An Act declaring that a certain Act of Parliament passed in the tenth year of the reign of His Majesty King George IV intituled 'An Act for the relief of His Majesty's Roman Catholic Subjects' extends to and is in force in the colony of New South Wales**

#### Preamble

Whereas by an Act of Parliament passed in the 10th year of the reign of His present Majesty intituled 'An Act for the relief of His Majesty's Roman Catholic Subjects' all His Majesty's subjects professing the Roman Catholic religion are relieved from all civil and military disabilities with certain specified exceptions and it is expedient to remove any doubt which may exist as to the application of the said Act to this colony.

#### 1 **Adopting the British Act of Parliament for the relief of Roman Catholics**

That the said Act of Parliament extends to and is in force and the same is hereby declared to extend to and be in full force in the State in the same manner in all respects as if the said Act had contained a positive clause to such effect.

This enactment was included in the subsequent enactments in Queensland, as it primarily affected the [Oaths Act 1867](#):

*"In every case where but for the passing of this Act it would be necessary for any person to take the oaths commonly called the oaths of allegiance supremacy and abjuration or any of them or the oath prescribed by the Act of Parliament commonly called the Roman Catholic Relief Act 1830 or to make the declaration prescribed by the Act of Parliament passed in the ninth year of the reign of King George IV chapter 17 and whensoever it shall be necessary for any person to take the oath of allegiance it shall be sufficient for such person to take in lieu of the said several oaths and declaration the following oath of allegiance—'I A.B. do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, as*

*lawful Sovereign of the United Kingdom, Australia, and her other Realms and Territories, and to Her Heirs and Successors, according to law.’; anything in the said Acts of Parliament or in any other statute Act or law notwithstanding.*

Soon after, the Church of England also lost its legal privileges in the Colony of New South Wales by the [Church Act of 1836](#), which established legal equality for Anglicans, Catholics and Presbyterians and was later extended to Methodists. The separation of church and state in this regard was later enshrined in [section 116](#) of the Commonwealth Constitution:

*“The Commonwealth shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.”*

Some of the recent theories surrounding the Act of Settlement 1700 sort of imply that the Commonwealth should “impose religious observance” and that there should be a “religious test” for public office or trust, which is quite obviously unconstitutional.

Although it must be noted that section 116 only applies to the Commonwealth, not the States. The first draft, approved by the Melbourne Convention of 1891, would have prohibited the states from passing laws prohibiting the free exercise of religion, but the amendment was defeated. It was feared the provision would impede the states’ legislative powers, so section 116 passed and did not mention the states. In [Kruger v Commonwealth \[1997\] HCA 27](#) the court found that section 116 “...does no more than effect a restriction or limitation on the legislative power of the Commonwealth. It is not, in form, a constitutional guarantee of the rights of individuals... It makes no sense to speak of a constitutional right to religious freedom in a context in which the Constitution clearly postulates that the States may enact laws in derogation of that right.”

The [British Nationality Act 1981](#) made naturalised citizens the equal of those native born, overturning the requirement that only those native born to England can sit as a Member of either House of Parliament. “anyone else born out of the kingdoms of England, Scotland or Ireland or the dominions thereunto belonging.” This requirement is echoed in [section 44](#) of the Commonwealth Constitution in relation to foreign citizenship.

Following the [Royal Style and Titles Act 1953](#), further amendments in the [Royal Style and Titles Act 1973](#) removed “Defender of the Faith” from her Australian Title, in formal recognition of the differences between the monarchs role in the UK, compared to her role in Australia.

### **The Perth Agreement**

After the *Perth Agreement* in 2011, legislation passed throughout the Commonwealth realms amended the Act of Settlement 1700. The purpose of the [Succession to the Crown Act 2015](#), was to:

*“...change the law relating to the effect of gender and marriage on royal succession, consistently with changes made to that law in the United Kingdom, so that the Sovereign of Australia is the same person as the Sovereign of the United Kingdom.”*

When legislating for the Perth Agreement, the Australian governments took the approach of the states requesting, and referring power to, the federal government to enact the legislation on behalf of the states under [section 51\(xxviii\)](#) of the constitution. The Commonwealth Heads of States agreed to changes to various points like:

- (1) male descendants take precedence over females in the line of succession,
- (2) the disqualification of those married to Roman Catholics;
- (3) the limitations on the number of individuals in line to the throne requiring permission from the sovereign to marry.

However, the ban on Catholics and other non-Protestants becoming sovereign, and the requirement for the sovereign to be in communion with the Church of England remained.

Anne Twomey explores the constitutional perspective in [“\*Changing the Rules of Succession to the Throne\*”](#).

<https://freemandelusion.com/wp-content/uploads/2020/09/changing-the-rules-of-succession-to-the-throne.pdf>

## **The Roman Catholic Relief Acts**

The [Act of Settlement 1700](#) was passed to settle the succession to the English and Irish crowns to Protestants only... *"...all and every person and persons who shall or may take or inherit the said crown."* The act also placed limits on both the power of the monarch with respect to the Parliament of England, and decreed that no foreigner or Roman Catholic could: *"...hold any office or place of trust, either civil or military, or to have any grant of lands, tenements or hereditaments from the Crown..."*

Today, the provisions in the [Act of Settlement 1700](#) that relate to the church of Rome applies only to the monarch themselves and their heirs and successors. This is because the Act primarily deals with the monarch's position as *Supreme Governor of the Church of England*, where the title given to King Henry VIII, *"Defender of the Faith"* is fundamental. As *Supreme Governor of the Church of England*, the monarch is still forbidden from *"holding communion with the church of Rome."* according to these 1700 provisions, as recently renewed in the [Succession to the Crown Act 2015](#).

The [Roman Catholic Relief Act 1829](#) was passed by the UK Parliament, which overturned the requirement that all Ministers of State must be Protestant *"...and all their Officers and Ministers ought to serve them respectively according to the same."*

The technical exclusion of Roman Catholics from parliament derived from the compulsory oaths of allegiance and supremacy, as reformulated at the Revolution, which denied the spiritual and ecclesiastical supremacy of foreign princes and prelates, and from the compulsory declaration against transubstantiation, the invocation of saints and the sacrifice of the Mass. The oaths of allegiance and supremacy which could be required from parliamentary electors also operated as a theoretical, if not necessarily as an actual, bar to the exercise of the franchise by Roman Catholics in England, though by an act of 1794 the omission of the oaths was permitted unless demanded by the candidates. In Ireland Roman Catholics had since 1793 been allowed to vote for but not to sit in parliament. Roman Catholics had also been excluded from civil office and in England from commissions in the armed forces (though there was considerable confusion about the state of the law with regard to the latter category) by the oaths of allegiance and supremacy.

As can be seen, the act repealed these technical disqualifications and formally permitted Roman Catholics to sit in Parliament, vote at elections and hold civil and military office subject to the new compound oath which replaced for these purposes the old oaths of allegiance, [supremacy](#) and [abjuration](#).

<https://freemandelusion.com/wp-content/uploads/2020/10/roman-catholic-relief-act-1829.pdf>

The versions provided above of the Roman Catholic Relief Act 1829 have many omissions where various sections had slowly been repealed over time, until it was repealed in its entirety and as stated on the [legislation.gov.uk](http://legislation.gov.uk) website:

**"There are currently no known outstanding effects for the Roman Catholic Relief Act 1829."**

For the sake of historical accuracy I have included here the original full text of 'A Bill for the Relief of His Majesty's Roman Catholic Subjects', sourced from the *Hansard* (24 March 1829).

*“Whereas by various Acts of Parliament certain Restraints and Disabilities are imposed on the Roman Catholic subjects of His Majesty, to which other subjects of His Majesty are not liable: and whereas it is expedient that such restraints and disabilities shall be from henceforth discontinued: and whereas by various Acts certain Oaths and certain Declarations, commonly called the Declaration against Transubstantiation, and the Invocation of Saints, and the Sacrifice of the Mass, as practised in the Church of Rome, are or may be required to be taken, made and subscribed by the subjects of His Majesty, as qualifications for sitting and voting in Parliament, and for the enjoyment of certain offices, franchises, and civil rights; Be it Enacted by The King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that from and after the commencement of this Act, all such parts of the said Acts as require the said Declarations, or either of them, to be made or subscribed by any of His Majesty’s Subjects as a qualification for sitting and voting in Parliament, or for the exercise or enjoyment of any office, franchise, or civil right, be and the same are (save as hereinafter provided and excepted) hereby Repealed.*

*And be it Enacted, That from and after the commencement of this Act, it shall be lawful for any person professing the Roman Catholic religion, being a Peer, or who shall after the commencement of this Act be returned as a member of the House of Commons, to sit and vote in either House of Parliament respectively, being in all other respects duly qualified to sit and vote therein, upon taking and subscribing the following Oath, instead of the Oaths of Allegiance, Abjuration, and Supremacy.*

*‘ I, A. B. do sincerely promise and swear, That I will be faithful and bear true allegiance to His Majesty King George the Fourth, and will defend him to the utmost of my power against all conspiracies and attempts whatever, which shall be made against his person, crown or dignity; and I will do my utmost endeavour to disclose and make known to His Majesty, His heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: And I do faithfully promise to maintain, support and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act, entitled, “An Act for the farther Limitation of the Crown, and better securing the Rights and Liberties of the Subject”, is and stands limited to the Princess Sophia, Electress of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the crown of these realms: And I do further declare, That it is not an article of my faith, and that I do renounce, reject and abjure the opinion, that princes excommunicated or deprived by the Pope, or any other authority of the see of Rome, may be deposed or murdered by their subjects, or by any person whatsoever: And I do declare, That I do not believe that the Pope of Rome, or any other foreign prince, prelate, person, state or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority or pre-eminence, directly or indirectly, within this realm. I do swear, That I will defend to the utmost of my power the settlement of property within this realm, as established by the laws: And I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm: And I do solemnly swear, That I never will exercise any privilege to which I am or may become entitled, to disturb or weaken the Protestant religion or Protestant government in the United Kingdom: And I do solemnly in the presence of God, profess, testify, and declare, That I do make this Declaration, and every part thereof, in the plain and ordinary sense of the words of this Oath, without any evasion, equivocation, or mental reservation whatsoever. So help me God’.*

*Provided always, and be it further Enacted, That no Peer, professing the Roman Catholic religion, and no person, professing the Roman Catholic religion, who shall be returned a Member of the House of Commons after the commencement of this Act, shall be capable of sitting or voting in either House of Parliament respectively, unless he shall first take and subscribe the oath hereinbefore appointed and set forth, before the same person, at the same times and places, and in the same manner as the Oaths and Declaration now required by law are respectively directed to be taken made and subscribed; and that any such person professing the Roman Catholic religion, who shall sit or vote in either House of Parliament, without having first taken and subscribed in the manner aforesaid the oath in this Act appointed and set forth, shall be subject and liable to the same penalties, forfeitures, and disabilities, and the offence of so sitting or voting shall be followed and attended by and with the same consequences as are by law enacted and provided in the case of persons sitting or voting in either House of Parliament, respectively, without the taking making and subscribing the Oaths and the Declaration now required by law.*

*And be it further Enacted, That it shall be lawful for persons professing the Roman Catholic religion, to vote at Elections of Members to serve in Parliament, and also to vote at the elections of representative Peers of Scotland and Ireland, and to be elected such representative Peers, being in all other respects duly qualified, upon taking and subscribing the Oath hereinbefore appointed and set forth.*

*And be it further Enacted, That the Oath hereinbefore appointed and set forth shall be administered to His Majesty's subjects professing the Roman Catholic religion, for the purpose of enabling them to vote in any of the cases aforesaid, in the same manner, at the same time and by the same officers or other persons as the oaths for which it is hereby substituted are or may be now by law administered;*

*And whereas by a certain Act of the Parliament of Scotland made in the eighth and ninth Session of the first Parliament of King William the Third, entitled, "An Act for the preventing the growth of Popery", and a certain Declaration or Formula is therein contained, which it is expedient should no longer be required to be taken and subscribed; Be it therefore Enacted, That so much and such parts of any Acts as authorise the said Declaration or Formula to be tendered, or require the same to be taken, sworn and subscribed, be and the same are hereby Repealed;*

*And be it further Enacted, That no person in holy orders in the Church of Rome, shall be capable of being elected to serve in Parliament as a Member of the House of Commons; and if any such person shall be elected to serve in Parliament as aforesaid, such election shall be void; and if any person, being elected to serve in parliament as a Member of the House of Commons shall, after his election, take or receive holy orders in the Church of Rome, the seat of such person shall immediately become void;*

*And be it Enacted, That it shall be lawful for any of His Majesty's subjects professing the Roman Catholic religion, to hold, exercise and enjoy all civil and military offices and places of trust or profit under His Majesty, His heirs or successors, and to exercise any other franchise or civil right, except as hereinafter excepted, upon taking and subscribing, at the times and in the manner hereinafter mentioned, the Oath hereinbefore appointed and set forth.*



*Provided always, and be it Enacted, That nothing herein contained shall be construed to exempt any person professing the Roman Catholic religion from the necessity of taking any Oath or Oaths.*

*Provided also, and be it further Enacted, That nothing herein contained shall extend or be construed to extend to enable any person or persons professing the Roman Catholic religion, to hold or exercise the office of Guardians and Justices of the United Kingdom, or of Regent of the United Kingdom, under whatever name, style or title such office may be constituted; nor to enable any person, otherwise than as he is now by law enabled, to hold or enjoy the office of Lord High Chancellor, Lord Keeper or Lord Commissioner of the Great Seal of Great Britain or Ireland; or the office of Lord Lieutenant, or Lord Deputy, or other Chief Governor or Governors of Ireland, or His Majesty's High commissioner to the General Assembly of the Church of Scotland.*

*And be it Enacted, That every person professing the Roman Catholic religion, who shall after the commencement of this Act be placed, elected or chosen in or to the office of mayor, provost, alderman, recorder, bailiff, town clerk, magistrate, councillor or common councilman, or in or to any office of magistracy or place of trust or employment, relating to the government of any city, corporation, borough, burgh, or district within the United Kingdom of Great Britain and Ireland, shall within One calendar month next before or upon his admission into any of the same respectively, take and subscribe the Oath hereinbefore appointed and set forth, in the presence of such person or persons respectively as by the charters or usages of the said respective cities, corporations, burghs, boroughs or districts, ought to administer the Oath for due execution of the said offices or places respectively.*

*And be it further Enacted, That from and after the passing of this Act, no Oath or Oaths shall be tendered to, or required to be taken by His Majesty's subjects, professing the Roman Catholic religion, for enabling them to hold or enjoy any real or personal property, other than such as may by law be tendered to and required to be taken by His Majesty's other subjects; and that the oath herein appointed and set forth, being taken and subscribed in any of the courts, or before any of the persons above mentioned, shall be of the same force and effect, to all intents and purposes, as, and shall stand in the place of, all Oaths and Declarations required or prescribed by any law now in force for the relief of His Majesty's Roman Catholic subjects from any disabilities, incapacities or penalties; and the proper officer of any of the courts above-mentioned in which any person professing the Roman Catholic religion, shall demand to take and subscribe the Oath herein appointed and set forth, is hereby authorised and required to administer the said Oath to such person, and such officer shall make sign and deliver a certificate of such Oath having been duly taken and subscribed as often as the same shall be demanded of him upon payment of One shilling, and such certificate shall be sufficient evidence of the person therein named having duly taken and subscribed such Oath.*

*And whereas the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline and government thereof, and likewise the Protestant Presbyterian Church of Scotland, and the doctrine, discipline and government thereof, are by the respective Acts of Union of England and Scotland and of Great Britain and Ireland established permanently and inviolably: And whereas the right and title of Archbishops to their respective provinces, of Bishops to their sees, and of Deans to their deaneries, as well in England as in Ireland, have been settled and established by law; Be it therefore Enacted, That if any person after the commencement of this Act, other than the person thereunto authorized by law, shall assume or use the name, style or title of Archbishop*

*of any province, Bishop of any bishoprick, or Dean of any deanery, in England or Ireland; he shall for every such offence forfeit and pay the sum of One hundred pounds.*

*And be it further Enacted, That if any Roman Catholic Ecclesiastic, or any member of any of the orders, communities or societies hereinafter mentioned, shall, after the commencement of this Act, exercise any of the rites or ceremonies of the Roman Catholic religion, or wear the habits of his order, save within the usual places of worship of the Roman Catholic religion, or in private houses; such ecclesiastic or other person shall, being thereof convicted by due course of law, forfeit for every such offence the sum of Fifty pounds.*

*And whereas Jesuits and members of other religious orders, communities or societies, of the church of Rome, bound by monastic or religious vows, are resident within the United Kingdom; and it is expedient to make provision for the gradual suppression and final prohibition of the same therein; Be it therefore Enacted, That every Jesuit, and every member of any other religious order, community or society of the church of Rome, bound by monastic or religious vows, who at the time of the commencement of this Act shall be within the United Kingdom, shall within Six calendar months after the commencement of this Act, deliver to the clerk of the peace of the county or place where such person shall reside, or his deputy, a notice or statement, in the form and containing the particulars set forth in the Schedule to this Act annexed; which notice or statement, such clerk of the peace, or his deputy, is hereby required to preserve and register amongst the other records of such county or place, for which no fee shall be payable, and a copy of which said notice or statement shall be by such clerk of the peace, or his deputy, forthwith transmitted to the chief secretary of the Lord Lieutenant, or other Chief Governor or Governors of Ireland, if such person shall reside in Ireland, or if in Great Britain, to one of His Majesty's principal Secretaries of State; and in case any person shall offend in the premises, he shall forfeit and pay to His Majesty, for every calendar month during which he shall remain in the United Kingdom without having delivered such notice or statement as is hereinbefore required, the sum of Fifty pounds.*

*And be it further Enacted, That in case any Jesuit, or member of any such religious order, community or society as aforesaid, shall after the commencement of this Act, within any part of the United Kingdom, admit any person to become a regular Ecclesiastic or brother or member of any such religious order, community or society, or be aiding or consenting thereto, or shall administer or cause to be administered, or be aiding or assisting in the administering or taking any oath, vow or engagement, purporting or intended to bind the person taking the same to the rules, ordinances or ceremonies of such religious order, community or society, every person offending in the premises in England or Ireland, shall be deemed guilty of a Misdemeanor, and in Scotland shall be punished by fine and imprisonment.*

*And be it further Enacted, That in case any person shall after the commencement of this Act, within any part of this United Kingdom, be admitted or become a Jesuit or brother or member of any other such religious order, community or society as aforesaid, such person shall be deemed and taken to be guilty of a Misdemeanor, and being thereof lawfully convicted, shall be sentenced and ordered to be banished from the United Kingdom for the term of his natural life.*

*Provided always, and be it Enacted, That nothing herein contained shall extend or be construed to extend in any manner to affect any religious order, community or establishment consisting of Females bound by religious or monastic vows."*

## ADOPTION IN AUSTRALIA

Here in Australia, the Roman Catholic Relief Act 1829 was adopted in all the colonies, including the following in Queensland, the [Roman Catholic Relief Act 1830](#):

<https://freemandelusion.files.wordpress.com/2020/10/roman-catholic-relief-act-1830-qld.pdf>



Queensland

### Roman Catholic Relief Act 1830

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**An Act declaring that a certain Act of Parliament passed in the tenth year of the reign of His Majesty King George IV intituled 'An Act for the relief of His Majesty's Roman Catholic Subjects' extends to and is in force in the colony of New South Wales**

#### Preamble

Whereas by an Act of Parliament passed in the 10th year of the reign of His present Majesty intituled 'An Act for the relief of His Majesty's Roman Catholic Subjects' all His Majesty's subjects professing the Roman Catholic religion are relieved from all civil and military disabilities with certain specified exceptions and it is expedient to remove any doubt which may exist as to the application of the said Act to this colony.

#### 1 **Adopting the British Act of Parliament for the relief of Roman Catholics**

That the said Act of Parliament extends to and is in force and the same is hereby declared to extend to and be in full force in the State in the same manner in all respects as if the said Act had contained a positive clause to such effect.

As you can note, the oaths of allegiance, supremacy and abjuration were replaced with the oath in the second paragraph. However, in Australia, in this example in particular, in Queensland, it was no longer required by the [Oaths Act 1867](#):

*"In every case where but for the passing of this Act it would be necessary for any person to take the oaths commonly called the oaths of allegiance supremacy and abjuration or any of them or the oath prescribed by the Act of Parliament commonly called the Roman Catholic Relief Act 1830 or to make the declaration prescribed by the Act of Parliament passed in the ninth year*

of the reign of King George IV chapter 17 and whensoever it shall be necessary for any person to take the oath of allegiance it shall be sufficient for such person to take in lieu of the said several oaths and declaration the following oath of allegiance—

*'I A.B. do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this Colony of Queensland belonging to and dependent on the said United Kingdom So help me God'.*

*anything in the said Acts of Parliament or in any other statute Act or law notwithstanding."*

This oath in the [Oaths Act 1867](#) was later changed to reflect the [Royal Style and Titles Act 1953](#):

*'I A.B. do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, as lawful Sovereign of the United Kingdom, Australia, and her other Realms and Territories, and to Her Heirs and Successors, according to law.';*

*anything in the said Acts of Parliament or in any other statute Act or law notwithstanding.*

## Part 2 Oaths of office and allegiance

### 1 Oath substituted for the oaths and declaration now prescribed by law

In every case where but for the passing of this Act it would be necessary for any person to take the oaths commonly called the oaths of allegiance supremacy and abjuration or any of them or the oath prescribed by the Act of Parliament commonly called the *Roman Catholic Relief Act 1830* or to make the declaration prescribed by the Act of Parliament passed in the ninth year of the reign of King George IV chapter 17 and whensoever it shall be necessary for any person to take the oath of allegiance it shall be sufficient for such person to take in lieu of the said several oaths and declaration the following oath of allegiance—'I A.B. do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth the Second, as lawful Sovereign of the United Kingdom, Australia, and her other Realms and Territories, and to Her Heirs and Successors, according to law.'; anything in the said Acts of Parliament or in any other statute Act or law notwithstanding.



[Robert R. Sudy](#) (author) Website: [Freeman Delusion: The Organised Pseudolegal Commercial Argument in Australia](#) Email: [robertsudy@freemandelusion.com](mailto:robertsudy@freemandelusion.com) \* Like the page on [Facebook](#) Public group [Australian Pseudolaw](#) \* Follow me on [Twitter](#) \* Subscribe on [YouTube](#).