



Swearing-in of Members after a by-election: a note for Members

This note explains the process of swearing-in, which all Members must do before taking their seat. It sets out the process and explains its importance

Background

A Member elected at a by-election is introduced to the House by two supporting Members, usually immediately after Question Time (3.30pm on Mondays, 12.30pm on Tuesdays and Wednesdays, or 10.30am on Thursdays) and swears or affirms an oath of allegiance. There are no rules about who the supporting Members should be; they are often friends or constituency neighbours.

Members who have not taken the oath or affirmation may not draw a salary, sit during any debate, or vote in a division in the House. A Member who has not taken the oath and who sits during a debate or votes in a division may be fined £500 but, more importantly, will lose his or her seat.

What you as a new Member need to do

1. Talk to the Journal Office

*Action:
new Member or
a Whip*

You (or one of your Party Whips) must let the Journal Office know what day you wish to be introduced, giving as much notice as possible. You should let them know whether you would like to take the oath (and, if so, which holy book you want to use) or make the non-religious affirmation. You should also say whether you wish to repeat the oath or affirmation in a language other than English (see Annex) so that the correct text will be ready in the House.

The Journal Office is on x3317, or you can call in – the Office is on the third floor above the Chamber; use the lifts from the Members' Lobby or behind the Speaker's Chair.

2. Ensure you have your Certificate of Return

*Action:
Whip*

When the Clerk of the Crown in Chancery receives a Certificate of Return from the Returning Officer at the by-election, he sends a certificate of receipt to the Journal Office who in turn prepare a blue certificate—a vital document as it is proof of your election—for you to present in the Chamber. Your Whips should arrange to collect the blue certificate from the Journal Office, or you can do this yourself.

3. What you do on the day

You and your two supporters should wait inside the door of the Chamber, but behind the Bar (the broad white line on the carpet), until called by the Speaker.

The process is then as follows:

- The Speaker will invite Members wishing to take their seats to come to the Table of the House. The Clerk of the House will come to the despatch box on the Government side of the Chamber (on the left as you look at it).
- Walking between your supporters, you come to the Bar and bow once (a brief nod of the head is enough), then walk half way to the Table of the House (five paces), stop and bow again, then walk up to the Table, stop in front of it and bow again.
- You then hand your blue certificate to the Clerk of the House, who will give you a card with the text of the oath or affirmation. If you are swearing the oath, you hold the Bible or other holy book and read out the text of the oath. If you are making the affirmation, you simply read out the text on the card.

- The Clerk will ask you to sign the test roll (a book containing the names of all Members). After signing your name, you should put the name of your constituency. The Clerk will then introduce you to the Speaker. The Speaker will shake hands and have a private word or two, and you can then take a seat on your party's benches in the Chamber, or leave the Chamber through the doors behind the Chair.

4. Then go to the Table Office

Action:
new Member

As soon as possible after introduction, you should go to the Table Office (located just outside the Chamber at the Speaker's Chair end) where staff will ask for a specimen signature (so that they can authenticate your signature on Parliamentary Questions, Early Day Motions and so on). You should also tell them how you want your name to appear in House documents.

Further information and advice

For further advice contact Paul Evans, Principal Clerk of the Table Office, on x3312 (his office is in the corridor behind the Chair— the doorkeepers or police will show you where), or any of the Clerks in the Table Office (x3302 or x3303). And remember that you can visit the Chamber beforehand when the House is not sitting and get a feel for what you will need to do.

Annex: Forms of Oath/Affirmation

Oath: *I swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law. So help me God.*

The way in which the oath is taken is prescribed by the Oaths Act 1978. This provides that the person taking the oath holds the sacred text in his or her uplifted hand, and says the words of the oath. The Act also allows the oath to be taken in the Scottish manner (with uplifted hand but not holding the sacred text). Members who wish to do so may also take the oath as prescribed in the Promissory Oaths Act 1868, by kissing the book and using the words:

I do swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law. So help me God.

Alternatively, Members may under the Oaths Act 1978 make a solemn affirmation instead of taking an oath, using the words:

Affirmation: *I do solemnly, sincerely, and truly declare and affirm, that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, her heirs and successors, according to law.*

The texts of the oath and affirmation are set out on large cards. Members should indicate to the Clerk of the House whether they wish to take the oath or to affirm. Texts of the oath and affirmation in Braille are available for use by Members with impaired sight.

Sacred texts

The following holy books are available: the New Testament (for Christians); the Old Testament (in English and Hebrew) and the Torah (for Jews); the Koran (for Muslims); the Granth (for Sikhs); the Douay Rheims Bible; the Welsh Bible; and the Gaelic Bible. The Member should inform the Journal Office which holy book he or she would like to use, as long as possible before the introduction.

Languages other than English

The oath/affirmation must be taken/made initially in English, but Members are entitled, if they wish, to follow this with an oath or affirmation in Welsh, Scots Gaelic or Cornish. If the Journal Office is told beforehand, a card in the appropriate language will be available at the time of swearing-in.