

# Oaths and Declarations (Members of Parliament) Amendment Bill

Member's Bill

## Explanatory note

### General policy statement

At present, the Oaths and Declarations Act 1957 (the **principal Act**) allows oaths and declarations to be made in 2 languages—English and te reo Māori. Since the principal Act's last major update the passage of the New Zealand Sign Language Act 2006 has added another official language. In addition, New Zealand has become a much more multicultural society. As a diverse and tolerant society we should allow oaths and declarations to be made in any language.

A good starting point for this change is to allow for members of Parliament to take the Oath or Affirmation of office in languages other than English and te reo Māori that is equivalent to the oaths and declarations set out in the principal Act. This Bill amends the principal Act to allow that, by enabling the Governor-General to prescribe equivalents in any other language of the oaths and declarations required to be taken by members of Parliament, and by ensuring that they are legally equivalent in effect to the English versions.

### Clause by clause analysis

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause. It provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

*Clause 3* provides that the Oaths and Declarations Act 1957 is the **principal Act**.

*Clause 4* sets out the purpose of the Bill.

*Clause 5* inserts a *new section 4B*, allowing oaths and affirmations to be made in languages other than English or te reo Māori, if prescribed by regulations.

*Clause 6* inserts *new section 30B*, a regulation-making provision to prescribe other-language equivalents to the Oath or Affirmation of Allegiance.

*Anahila Kanongata'a-Suisuiki*

## **Oaths and Declarations (Members of Parliament) Amendment Bill**

Member's Bill

### **Contents**

	Page
1 Title	1
2 Commencement	1
3 Principal Act	1
4 Purpose	2
5 New section 4B inserted (Oaths and affirmations in other languages)	2
4B Oaths and affirmations in other languages	2
6 New section 30B inserted (Regulations regarding Oath of Allegiance)	2
30B Regulations regarding Oath of Allegiance	2

### **The Parliament of New Zealand enacts as follows:**

#### **1 Title**

This Act is the Oaths and Declarations (Members of Parliament) Amendment Act **2018**.

#### **2 Commencement**

5

This Act comes into force on the day after the date on which it receives the Royal assent.

#### **3 Principal Act**

This Act amends the Oaths and Declarations Act 1957 (the **principal Act**).

**4 Purpose**

The purpose of this Act is to amend the Oaths and Declarations Act 1957 to allow members of Parliament to make their oaths or affirmations of allegiance in languages other than English and te reo Māori.

**5 New section 4B inserted (Oaths and affirmations in other languages) 5**

After section 4A, insert:

**4B Oaths and affirmations in other languages**

- (1) If an equivalent in any other language of any of the oaths or affirmations set out in this Act is prescribed by regulations made under **section 30B**, using that equivalent has the same effect as using the oath or affirmation set out in this Act. 10
- (2) This section applies despite anything in section 4 or in any of sections 16 to 21.

**6 New section 30B inserted (Regulations regarding Oath of Allegiance)**

After section 30A, insert:

**30B Regulations regarding Oath of Allegiance 15**

The Governor-General may, by Order in Council, make regulations prescribing other language equivalents of the Oath of Allegiance set out in section 17.