

Oaths and Declarations (Endorsing the Principles of the Treaty of Waitangi) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this bill is to ensure that a person taking any oath set out in statute may, in addition to the words of the oath, elect to state that they will perform their duties in accordance with the principles of the Treaty of Waitangi. This recognises that the Treaty of Waitangi is New Zealand's founding document and the Government is committed to fulfilling its obligations as a Treaty partner.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 states that the Oaths and Declarations Act 1957 is the Act amended by the bill.

Clause 4 sets out the purpose of the bill.

Clause 5 inserts a *new section 4B* into the principal Act—

- allowing for any person taking an oath under any statute to elect, in addition to the words of the oath, to state that they will perform their duties in accordance with the principles of the Treaty of Waitangi; and
- providing for the words to be used by any person stating that they will perform their duties in accordance with the principles of the Treaty of Waitangi.

Marama Fox

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Oaths and Declarations (Endorsing the Principles of the Treaty of Waitangi) Amendment Act **2015**.
- 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** 10
The purpose of this Act is—

- (a) to provide for any person taking a statutory oath, in addition to repeating the words of the oath, to elect to state that they will perform their duties in accordance with the principles of the Treaty of Waitangi; and
- (b) to specify the wording to be used by any person stating that they will perform their duties in accordance with the principles of the Treaty of Waitangi when taking a statutory oath. 5

5 New section 4B inserted (Endorsing the principles of the Treaty of Waitangi)

After section 4A, insert:

- 4B Endorsing the principles of the Treaty of Waitangi** 10
- (1) Every person who takes an oath may, in addition to repeating the words of the oath, elect to state that they will perform their duties in accordance with the principles of the Treaty of Waitangi.
 - (2) Any person who, under subsection (1), elects to state that they will perform their duties in accordance with the principles of the Treaty of Waitangi may do so by making the following statement either before the words of imprecation or at the end of the affirmation: 15
 - (a) I will perform my duties in accordance with the principles of the Treaty of Waitangi; or
 - (b) E ai ki ngā mātāpono o Te Tiriti o Waitangi ka whakatutuki ahau i ōku mahi. 20