

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

Legislative Council,
9th July, 1890.

Hon. Sir F. Whitaker.

OATHS.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Affirmation may be made instead of oath.</p> <p>3. Form of affirmation.</p> <p>4. Validity of oath not affected by absence of religious belief.</p> | <p>5. Form of affirmation in writing.</p> <p>6. Court, Justice, &c., may administer oaths or affirmations.</p> <p>7. Repeal.</p> <p>Schedule.</p> |
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A BILL INTITULED

AN ACT to amend the Law as to Oaths.

Title.

BE IT ENACTED by the General Asssembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

- 5 1. The Short Title of this Act is "The Oaths Act, 1890." Short Title.
2. Every person shall be entitled as of right to make his solemn affirmation, instead of taking an oath, in all places and for all purposes where an oath is or shall be required by law, which affirmation shall be of the same force and effect as if he had taken the oath; and if any person making such affirmation shall wilfully, falsely, and corruptly affirm any matter or thing which, if deposed on oath, would have amounted to wilful and corrupt perjury, he shall be liable to prosecution, indictment, sentence, and punishment in all respects as if he had committed wilful and corrupt perjury. Affirmation may be made instead of oath.
- 10 3. Every such affirmation shall be as follows: "I, A.B., do solemnly, sincerely, and truly declare and affirm," and then proceed with the words of the oath prescribed by law, omitting any words of imprecation or calling to witness. Form of affirmation.
- 15 4. Where an oath has been duly administered and taken, the fact that the person to whom the same was administered had at the time of taking such oath no religious belief shall not for any purpose affect the validity of such oath. Validity of oath not affected by absence of religious belief.
- 20 5. Every affirmation in writing shall commence, "I, _____, of _____, do solemnly and sincerely affirm;" and the form in lieu of jurat shall be "Affirmed at _____, this _____ day of _____, 18 _____, before me."
- 25 Form of affirmation in writing.

Court, Justice, &c.,
may administer
oaths or affirma-
tions.

6. Every Court, Judge, Justice, Officer, Commissioner, Arbitrator, or other person, now or hereafter having, by law or by consent of parties, authority to hear, receive, and examine evidence, is hereby empowered to administer an oath to all such witnesses as are legally called before them respectively, or to take the affirmation of such 5 witnesses in lieu of such oath.

This section shall extend to all cases where any person is now or may hereafter be authorised by law to administer an oath to any person voluntarily coming before him.

Rep

7. The Acts mentioned in the Schedule to this Act are hereby 10 repealed to the extent therein mentioned.

Schedule.

SCHEDULE.

ENACTMENTS REPEALED.

1856, No. 3.—“The Law Amendment Act, 1856.” Sections one and two.

1866, No. 65.—“The Affirmations in Lieu of Oaths in Criminal Proceedings Act, 1866.” The whole Act.

1868, No. 50.—“The Law Amendment Act, 1868.” Section four.

1875, No. 81.—“The Evidence Further Amendment Act, 1875.” Section six.

1880, No. 16.—“The Juries Act, 1880.” Section one hundred and six and the Eighth Schedule.

1884, No. 7.—“The Affirmations in Lieu of Oaths Extension Act, 1884.” The whole Act.

1888, No. 21.—“The Justices of the Peace Act Amendment Act, 1888.” Section ten.