



ANNO SECUNDO

GEORGII V REGIS.

A.D. 1911.

No. 1056.

An Act to amend the Law as to the Manner of taking Oaths, and to alter the Form of Affirmation in lieu of an Oath prescribed by the Act No. 13 of 1866-7.

[Assented to, December 14th, 1911.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Oaths and Affirmations Act, 1911." Short title.

2. In this Act—

"Oath" means an oath administered or taken for any purpose whatever, whether in judicial proceedings or otherwise:

"Officer" means any person authorized to administer an oath.

Interpretation.
N.Z. Act 17, 1910,
s. 2.

3. Subject to the provisions of this Act, and except where the person to whom an oath is administered requests that the oath be administered in some other manner, an oath shall be administered and taken in the following manner, namely:—

Ordinary manner of
taking oath.
Tas. Act 20, 1910,
s. 124.

The person taking the oath shall, standing up, hold a copy of the Bible, New Testament, or Old Testament in his hand and, after the oath has been tendered by the officer administering the same, shall utter the words "I swear":

Provided that no oath shall be deemed illegal or invalid by reason of any breach of this section.

The Oaths and Affirmations Act.—1911.

Oaths may be taken
in other forms
and manners.

N.Z. Act 17, 1910,
s. 3 (c).

1 and 2 Vic., c. 105.

N.Z. Act 56, 1908,
s. 52.

Tas. 20, 1910, s. 127.

W.A., 28, 1906,
s. 100.

Form of affirmation.

Cf. N.Z. 56, 1908,
s. 50.

W.A. 28, 1906, s. 99.

Tas. 20, 1910, s. 126.

S.A. 671, 1896.

4. Notwithstanding anything in this Act or in any other Act or law—

- I. An oath may be administered and taken in any form and in any manner which would have been lawful if this Act had not been passed :
- II. Every oath shall be binding for all purposes which is administered and taken in any form and in any manner which the person taking the same declares to be binding :
- III. Where an oath has been administered and taken, the fact that the person taking the same had at the time no religious belief shall not for any purpose affect the legality or validity of the oath.

5. The form of affirmation or declaration prescribed by section 9 of the Act No. 13 of 1866-7, entitled "An Act for Amending the Law of Evidence and Practice on Criminal Trials," is hereby repealed and the said section shall hereafter be read as if the following words were inserted therein in lieu of the form so repealed, namely:—

"I, *A.B.*, do solemnly, sincerely, and truly affirm and declare," and then shall follow the words of the oath prescribed by law, but omitting any words of imprecation or calling to witness.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.