

Legislative Council.

36<sup>o</sup> VICTORIÆ, 1873.

## A BILL

To re-enact and confirm the "Promissory Oaths Act" and to indemnify all persons in respect of the tendering or taking of certain Oaths and the making of certain Affirmations or Declarations.

[MR. SAMUEL;—13 *March*, 1873.]

**W**HEREAS doubts have arisen whether the Act of Council thirty-third Victoria number fourteen commonly cited as the "Promissory Oaths Act" was not an Act which should have been reserved for the signification of Her Majesty's pleasure thereon under the provisions of the thirty-sixth section of the Act of Council seventeenth Victoria number forty-one commonly cited as the "Constitution Act" as amended by the Imperial Statute eighteenth and nineteenth Victoria chapter fifty-four And whereas it is expedient to remove such doubts and to re-enact the said Promissory Oaths Act and to indemnify all persons in respect of the tendering or taking by them of any oath and the making of any affirmation or declaration in the form prescribed either by the said last-mentioned Act or by the said Constitution Act Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. The Act of Council thirty-third Victoria number fourteen being the "Promissory Oaths Act" passed in the year one thousand eight hundred and seventy is hereby re-enacted and in case of this Act receiving the Royal Assent the said first-mentioned Act shall take effect from the day of the passing thereof but nothing herein contained shall in the case aforesaid affect any person who shall have tendered taken or made or who shall until such assent has been duly signified

Preamble.

Promissory Oaths  
Act 1870 re-enacted.



in this Colony tender take or make any oath affirmation or declaration or shall affect any oath affirmation or declaration taken or made in some form other than that prescribed by the said Promissory Oaths Act if the tendering taking or making of such oath affirmation or declaration would have been lawful immediately before the passing of 5 the said Act.

Indemnification of  
persons and  
validation of Oaths.

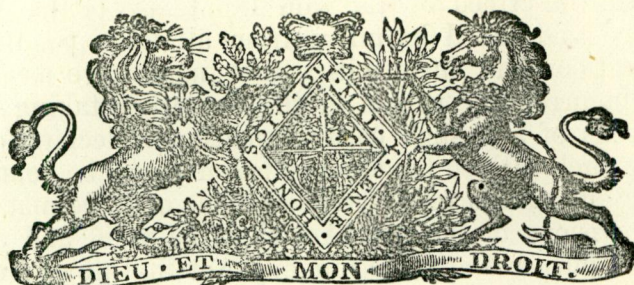
2. All persons who shall have tendered taken or made or shall hereafter tender take or make any oath affirmation or declaration in the form prescribed by the said Promissory Oaths Act are hereby indemnified and saved harmless from all fines penalties forfeitures 10 disqualifications and incapacities that may have been incurred or may be incurred by reason of the tendering taking or making by such persons of any such oath affirmation or declaration as aforesaid and every such oath so tendered or taken or to be tendered or taken and every affirmation or declaration made or to be made in pursuance 15 of the provisions of the said Act shall be valid and effectual to all intents and purposes anything in any Act Statute or Ordinance to the contrary notwithstanding.

Short title.

3. This Act may be cited as the "Promissory Oaths Declaratory Act of 1873."



# New South Wales.



ANNO TRICESIMO SEXTO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

No. XXXI.

An Act to re-enact and confirm the "Promissory Oaths Act" and to indemnify all persons in respect of the tendering or taking of certain Oaths and the making of certain Affirmations or Declarations. [Reserved, 24th April, 1873.]

**W**HEREAS doubts have arisen whether the Act of the Legislature of New South Wales thirty-third Victoria number fourteen commonly cited as the "Promissory Oaths Act" was not an Act which should have been reserved for the signification of Her Majesty's pleasure thereon under the provisions of the thirty-sixth section of the Act of the Legislature of New South Wales seventeenth Victoria number forty-one commonly cited as the "Constitution Act" as amended by the Imperial Statute eighteenth and nineteenth Victoria chapter fifty-four And whereas it is expedient to remove such doubts and to re-enact the said Promissory Oaths Act and to indemnify all persons in respect of the tendering or taking by them of any oath and the making of any affirmation or declaration in the form prescribed either by the said last-mentioned Act or by the said Constitution Act Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. The Act of the Legislature of New South Wales thirty-third Victoria number fourteen being the "Promissory Oaths Act" passed in the year one thousand eight hundred and seventy is hereby

Preamble.  
Promissory Oaths  
Act 1870 re-enacted.



*Promissory Oaths Declaratory.*

hereby re-enacted and in case of this Act receiving the Royal Assent the said first-mentioned Act shall take effect from the day on which assent was given thereto but nothing herein contained shall in the case aforesaid affect any person who shall have tendered taken or made or who shall until such assent has been duly signified in this Colony tender take or make any oath affirmation or declaration or shall affect any oath affirmation or declaration taken or made in some form other than that prescribed by the said Promissory Oaths Act if the tendering taking or making of such oath affirmation or declaration would have been lawful immediately before the passing of the said Act.

Indemnification of  
persons and  
validation of Oaths.

2. All persons who shall have tendered taken or made or shall hereafter tender take or make any oath affirmation or declaration in the form prescribed by the said Promissory Oaths Act are hereby indemnified and saved harmless from all fines penalties forfeitures disqualifications and incapacities that may have been incurred or may be incurred by reason of the tendering taking or making by such persons of any such oath affirmation or declaration as aforesaid and every such oath so tendered or taken or to be tendered or taken and every affirmation or declaration made or to be made in pursuance of the provisions of the said Act shall be valid and effectual to all intents and purposes anything in any Act Statute or Ordinance to the contrary notwithstanding.

Short title.

3. This Act may be cited as the "Promissory Oaths Declaratory Act of 1873."

By Authority : THOMAS RICHARDS, Government Printer, Sydney, 1873.

[3d.]