

Legislative Council.

No. , 1911.

A BILL

To amend the Oaths Act, 1900.

[MR. FLOWERS;—26 *July*, 1911.]

BE it enacted by the King'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:—

5 **1.** This Act may be cited as the "Oaths (Amendment) Act, Short title. 1911."

2. Subsection two of section three of the Oaths Act, 1900, is hereby repealed, and the following subsections substituted therefor:—

10 (2) The several oaths prescribed by this Act, or any of them, may be taken and subscribed at any hour—

15 (a) within the State of New South Wales before the Supreme Court or any justice thereof, any court of quarter sessions, or such justice of the peace as may be authorised by writ of *dedimus potestatem* for that purpose; and

1378

c 53—

(b)

Repeal of s. 3 of
the Oaths Act of
1900.

(b) without the said State before any Justice of the High Court of Australia, any Justice of the Supreme Court of any State of the Commonwealth of Australia, or such person as may be authorised by writ of *dedimus potestatem* for that purpose. 5

(3) A writ of *dedimus potestatem* for the purpose of administering such oaths may be issued for execution in any part of the Commonwealth of Australia.

Amendment of s. 21
of the Oaths Act of
1900.

3. (1) Section twenty-one of the said Act is amended by inserting the words "commissioner of the court for taking affidavits" 10 after the words "notary public" and by substituting the word "person" for the word "officer."

(2) Any statutory declaration heretofore taken and received before any commissioner of the court for taking affidavits shall be deemed to have been duly taken and received. 15

Repeal of s. 26 of
the Oaths Act of
1900.

4. Section twenty-six of the said Act is repealed, and the following sections are substituted therefor:—

26. Any oath or affidavit required for the purpose of any court or matter, or for the purpose of the registration of any instrument in the State of New South Wales may be taken or 20 made—

- (a) in any place in the said State before any justice of the peace for the said State; and
- (b) in any place out of the said State before a notary public, or before any person having authority to administer an 25 oath in that place.

26A. In the case of any person having authority to administer an oath, otherwise than by the law of a foreign country, judicial and official notice shall be taken of his seal or signature affixed, impressed, or subscribed to or on any such oath 30 or affidavit.