



AUSTRALIAN CAPITAL TERRITORY

## **Oaths and Affirmations (Amendment) Act 1995**

**No. 34 of 1995**

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### **An Act to amend the *Oaths and Affirmations Act 1984***

*[Notified in ACT Gazette S266: 31 October 1995]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Oaths and Affirmations (Amendment) Act 1995*.

#### **Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Oaths and Affirmations Act 1984*.<sup>1</sup>

#### **Insertion**

4. After section 6 of the Principal Act the following section is inserted:

#### **Oaths or affirmations by member of the Assembly**

“6A. Notwithstanding subsection 9 (1) of the *Australian Capital Territory (Self-Government) Act 1988* of the Commonwealth, a member of the Legislative Assembly, before taking his or her seat, shall make and subscribe—

- (a) an oath or affirmation in accordance with the form specified in Part I of Schedule 1A; and/or
- (b) an oath or affirmation in accordance with the form specified in Part II of Schedule 1A.”.

**Insertion**

5. Before section 11 of the Principal Act the following section is inserted in Part III:

**Authority to administer oath or affirmation to a member of the Assembly**

“10A. An oath or affirmation referred to in section 6A shall be made and subscribed before the Chief Justice of the Supreme Court or a Judge of that Court authorised by the Chief Justice.”.

**Authority to administer oath etc.**

6. Section 11 of the Principal Act is amended by omitting from subsection (1) “An oath” and substituting “Subject to section 10A, an oath”.

**Alternative form and manner for oath**

7. Section 21 of the Principal Act is amended by omitting “section 15” and substituting “sections 6A and 15”.

**Schedule**

8. After Schedule 1 to the Principal Act the Schedule set out in the Schedule to this Act is inserted.

**Application**

9. The amendments made by this Act apply in relation to a member of the Legislative Assembly who becomes eligible to take his or her seat after the commencement of this Act.

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**SCHEDULE**

Section 8

**SCHEDULE 1A**

Section 6A

**OATHS AND AFFIRMATIONS BY MEMBER OF LEGISLATIVE ASSEMBLY**

**PART I**

**OATH**

I, A.B., swear that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law: So help me God!

**AFFIRMATION**

I, A.B., solemnly affirm that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth, Her heirs and successors according to law.

**PART II**

**OATH**

I, A.B., swear that I will faithfully serve the people of the Australian Capital Territory as a member of the Legislative Assembly and discharge my responsibilities according to law: So help me God!

**AFFIRMATION**

I, A.B., solemnly affirm that I will faithfully serve the people of the Australian Capital Territory as a member of the Legislative Assembly and discharge my responsibilities according to law.

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**NOTE**

**Principal Act**

1. Reprinted as at 30 June 1991. See also Act No. 81, 1994.

*[Presentation speech made in Assembly on 21 June 1995]*

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