

No. 34 of 1965

An Ordinance to amend the *Oaths Ordinance*
1939-1960

[Assented to 24th September, 1965.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act* 1910-1962, as follows:—

1.—(1.) This Ordinance may be cited as the *Oaths Ordinance* 1965. Short title
and citation.

(2.) The *Oaths Ordinance* 1939-1960 is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Oaths Ordinance* 1939-1965.

2. Section three of the Principal Ordinance is amended by omitting the words— Parts.

“Part IV.—Appointment of Persons to take Declarations and attest Documents.”
and inserting in their stead the words—

“Part IV.—Commissioners for Oaths.”

3. Section four of the Principal Ordinance is amended— Definitions.

- (a) by omitting the definition of “authorized”;
- (b) by omitting the definition of “bank”;
- (c) by omitting the definition of “bank manager”; and
- (d) by omitting the definition of “postmaster”.

4. The heading to Part IV. of the Principal Ordinance is omitted and the following heading inserted in its stead:— Heading to Part
IV. amended.

“Part IV.—Commissioners for Oaths.”

5. Section seventeen of the Principal Ordinance is repealed and the following sections inserted in its stead:— Commissioners
for oaths.

“17.—(1.) The Administrator may by notice in the *Gazette* appoint persons to be, or terminate the appointment of persons as, Commissioners for Oaths.

“(2.) A Commissioner for Oaths may—

- (a) administer an oath;
- (b) take an affidavit; and
- (c) attest the execution of an instrument,

for the purposes of any law, other than an Act or regulations thereunder, in force in the Territory.

“(3.) A person who, immediately prior to the commencement of this Ordinance, was authorized by the Administrator by notice in the *Gazette* under Part IV. of the Principal Ordinance is deemed to have been appointed to be a Commissioner for Oaths.

**Judicial notice
of signature.**

“17A. Judicial notice shall be taken of the signature of a Commissioner for Oaths if the signature is contained in or subscribed to—

- (a) an affidavit purporting to be sworn before that Commissioner; or
- (b) an instrument containing a signature purporting to be attested by that Commissioner.”

**Who may take
declarations and
attest instruments.**

6. Section eighteen of the Principal Ordinance is amended—

- (a) by omitting from sub-section (1.) the words “, subject to sub-section (2.) of this section,”;
- (b) by omitting paragraphs (ii), (iii) and (iv) of that sub-section and inserting in their stead the following paragraph:—
“(ii) a Commissioner for Oaths.”; and
- (c) by omitting sub-section (2.).

**Meanings of
terms in
declarations
and instruments.**

7. Section nineteen of the Principal Ordinance is repealed.