

OATHS ORDINANCE 1967

No. 24 of 1967

An Ordinance to amend the *Oaths Ordinance*
1939-1965

[Assented to 22 June, 1967]

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* 1910-1966, as follows:—

Short title
and citation

1.—(1.) This Ordinance may be cited as the *Oaths Ordinance* 1967.

(2.) The *Oaths Ordinance* 1939-1965 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* 1939-1967.

Affirmations
in legal
proceedings

2. Section 25 of the Principal Ordinance is amended—

(a) by omitting paragraph (a) and inserting in its stead the following paragraph:—

“(a) required to take an oath in any Court;”;

(b) by omitting paragraph (c) and inserting in its stead the following paragraph:—

“(c) required or requested or desiring to make an affidavit or deposition;”;

(c) by omitting the words “in accordance with the form in the Seventh Schedule” and inserting in their stead the words “in the manner provided by this section”; and

(d) by adding at the end thereof the following subsection:—

“(2.) The person making the affirmation shall be addressed by an officer in accordance with the form in the Seventh Schedule and shall thereupon utter the words ‘I do’ or otherwise signify his assent.”.

3. After section 25 of the Principal Ordinance the following section is inserted:—

“25A.—(1.) Where a person called as a witness in a court or before a justice or other person authorized to administer an oath appears to the court, justice or person authorized to be incapable of comprehending the nature of an oath or of understanding the meaning of the affirmation referred to in the last preceding section, the court, justice or person authorized shall, if satisfied that the person called as a witness understands that he will be liable to punishment if his evidence is false, declare in what manner the evidence of that person shall be taken, and when evidence is so taken the same consequences follow as if an oath had been administered in the ordinary manner.

Taking evidence of persons incompetent to take oath or make declaration, &c.

“(2.) Nothing in the last preceding sub-section shall affect or be deemed to affect in any way the operation of any law or rule of law or practice relating to the corroboration of evidence.

“(3.) The provisions of the last two preceding sub-sections extend and apply *mutatis mutandis* to interpreters called to interpret in a proceedings in a court or before a justice or other person authorized to administer an oath.”.

4. The Seventh Schedule to the Principal Ordinance is repealed and the following Schedule inserted in its stead:—

Seventh Schedule

“THE SEVENTH SCHEDULE.

Sec. 25.

AFFIRMATION.

‘Do you, and truly affirm and declare, etc. . . .’ . , solemnly, sincerely

