

Oaths and Declarations (Upholding the Treaty of Waitangi) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this Bill is to ensure that a person taking any oath set out in statute may, in addition to the words of the oath, elect to state that they will uphold the Treaty of Waitangi. This principle recognises that the Treaty of Waitangi is New Zealand's founding document and the Government is committed to fulfilling its obligations as a Treaty partner.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 states that the Oaths and Declarations Act 1957 is the principal Act.

Clause 4 introduces a new section 4B into the principal Act—

- allowing for any person taking an oath under any statute to elect, in addition to the words of the oath, to state that they will uphold the Treaty of Waitangi; and

- providing for the words to be used by any person stating that they will uphold the Treaty of Waitangi.
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Te Ururoa Flavell

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the Treaty of Waitangi)
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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Oaths and Declarations (Upholding the Treaty of Waitangi) Amendment Act **2012** .
- 2 Commencement** 5
This Act comes into force on the day after the date on which it receives the Royal assent.
- 3 Principal Act amended**
This Act amends the Oaths and Declarations Act 1957.

4 Purpose

The purpose of this Act is to:

- (a) provide for any person taking a statutory oath to, in addition to repeating the words of the oath, elect to state that they will uphold the Treaty of Waitangi; and 5
- (b) specify the wording to be used by any person stating that they will uphold the Treaty of Waitangi when taking a statutory oath.

5 New section 4B inserted

The following section is inserted after section 4A of the principal Act: 10

“4B Upholding Treaty of Waitangi

“(1) Every person who takes an oath may, in addition to repeating the words of the oath, elect to state that they will uphold the Treaty of Waitangi. 15

“(2) Any person who, under subsection (1), elects to state that they will uphold the Treaty of Waitangi may do so by making the following statement either before the words of imprecation or at the end of the affirmation:

- “(a) I will uphold the Treaty of Waitangi; or 20
- “(b) Ka whakaūngia e au te Tiriti o Waitangi.”