

Oaths Modernisation Bill

Government Bill

Explanatory note

General policy statement

This Bill modernises a range of oaths that are set out in statute, as well as modernising one declaration and the words of affirmation that may be used instead of an oath. It provides Māori translations for all the oaths that are set out in the Bill, and includes a number of other related amendments.

Part 1 of the Bill amends the Oaths and Declarations Act 1957 (the **Act**). The amendments insert a new Parliamentary Oath and substitute modernised forms of the—

- Oath of Allegiance
- Judicial Oath
- Executive Councillor’s Oath
- Parliamentary Under-Secretary’s Oath.

Part 2 of the Bill amends a range of legislation that contains, or otherwise provides for, oaths. The main amendments are updated versions of the—

- Armed Forces oath
- Citizenship oath
- Local Government member’s declaration
- Police oath
- Special Constable’s oath (also taken by bailiffs).

Background

There has not been a thorough review of oaths for nearly 50 years. Ad hoc amendments to the law applying to oaths over the years have led to inconsistencies in the language used in oaths and some of the language now appears old fashioned, unduly complex and out of step with modern usage. Some provisions are also now outdated or obsolete.

In November 2003 the Government directed an inter-departmental working group to undertake a comprehensive review of certain types of oaths and affirmations. In May 2004 a public discussion paper was released seeking views on—

- whether the language of the oaths under review requires modernising
- whether current oaths adequately reflect the values and beliefs important to New Zealanders in the 21st century
- options for changing, modernising, replacing or removing the oaths under review.

In September 2004 the Government agreed to repeal the teacher's oath and prepare amendments to oaths and affirmations in both Māori and English, and directed the working group to consider modernising the language of certain oaths.

This Bill gives effect to the Government's decision in December 2004 to update and modernise certain oaths.

The oaths are modernised, and some incorporate additional values and beliefs, but they retain, as far as possible, the essential meaning or substance of each oath and the formality and solemnity of oaths. This follows public consultation where there was clear support for retaining the current values and beliefs, particularly loyalty to the Queen, religious belief, and promises as to how an office or role should be carried out.

Main reforms

The Bill—

- amends certain oaths and affirmations by updating and modernising the language used in existing oaths. The process of modernising oaths has involved removing archaic language, removing redundant words or phrases, simplifying language, removing and/or replacing words or phrases that lack clear

meaning, decreasing complexity, and ensuring consistency of language as and where appropriate:

- retains the values and beliefs currently reflected in oaths. Additional values and beliefs have been incorporated into two oaths. A new Parliamentary Oath includes loyalty to New Zealand, respect for New Zealand’s democratic values and respect for the rights and freedoms of the people of New Zealand. The Citizenship oath now includes loyalty to New Zealand, and respect for the democratic values of New Zealand and the rights and freedoms of its people:
- provides a Māori version of each oath. The Act provides that using a Māori equivalent of any of the oaths set out in that Act, or in regulations made under that Act, has the same effect as using the English version:
- amends the Act to prescribe a Māori language version of the words with which an affirmation must begin. The Act currently provides that every person has the right to make an affirmation instead of taking an oath:
- amends the Act to make the wording of written and oral affirmations consistent.

Other reforms

Other changes are also proposed.

The Bill—

- makes minor amendments to a number of oaths taken by office holders where the text of the oath is not set out in statute, but the requirement for the office holder to take an oath is set out in statute. Currently certain references and similar ideas are expressed in a variety of ways across these oaths. The working group developed standard phrases and incorporated these into the new text of oaths, where the new phrases did not alter the essential meaning of the oath. Examples include replacing the words “honestly and impartially” with the words “faithfully and impartially” and replacing the word “divulge” with the word “disclose”:
- repeals section 162 of the Education Act 1964. This section contains an oath taken by teachers, which is no longer used:

- amends section 24 of the Act to provide that the Parliamentary Under-Secretary's Oath may also be administered by an officer for the time being acting as Clerk of the Executive Council:
- amends section 11 of the Constitution Act 1986 to replace the requirement that, before being permitted to sit or vote in the House of Representatives, members of Parliament must take the Oath of Allegiance, with a requirement that members of Parliament must take the new Parliamentary Oath (which incorporates the words of the Oath of Allegiance) set out in the Act:
- revokes the Oaths and Declarations (Māori Language) Regulations 2004, which set out Māori versions of the oaths in the Act that are, by this Bill, now set out in the Act itself.

Comparative table

Current oath	Proposed oath (English version)
<p><i>Oath of Allegiance</i></p> <p>I, _____, swear that I will be faithful and bear true allegiance to Her [or His] Majesty [<i>Specify the name of the reigning Sovereign, as thus: Queen Elizabeth the Second</i>], Her [or His] heirs and successors, according to law. So help me God.</p>	<p>I, [<i>name</i>], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second</i>], Queen (or King) of New Zealand, her (or his) heirs and successors, according to law. So help me God.</p>
<p><i>Judicial Oath</i></p> <p>I, _____, swear that I will well and truly serve Her [or His] Majesty [<i>specify as above</i>], Her [or His] heirs and successors, according to law, in the office of _____; and I will do right to all manner of people after the laws and usages of New Zealand without fear or favour, affection or ill will. So help me God.</p>	<p>I, [<i>name</i>], swear that in the office of [.....], I will faithfully serve Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second</i>], Queen (or King) of New Zealand, her (or his) heirs and successors, and that, in that office, I will act fairly and impartially, and do right to all people, without fear or favour, affection or ill will, and in accordance with the laws and practices of New Zealand. So help me God.</p>

Current oath	Proposed oath (English version)
<p><i>Executive Councillor's Oath</i></p> <p>I, _____, being chosen and admitted of the Executive Council of New Zealand, swear that I will to the best of my judgment, at all times, when thereto required, freely give my counsel and advice to the Governor-General for the time being, for the good management of the affairs of New Zealand. That I will not directly nor indirectly reveal such matters as shall be debated in Council and committed to my secrecy, but that I will in all things be a true and faithful Councillor. So help me God.</p>	<p>I, [name], having been appointed as a member of the Executive Council of New Zealand, swear that I will be a faithful and diligent Councillor. I will, whenever required and to the best of my ability, advise the Governor-General for the time being, for the good government of New Zealand. I will not disclose the matters considered in Council except as authorised by the Council or required by law. So help me God.</p>
<p><i>Parliamentary Under-Secretary's Oath</i></p> <p>I, _____, swear that I will well and truly serve Her [or His] Majesty [<i>specify as above</i>], Her [or His] heirs and successors, according to law, in the office of Parliamentary Under-Secretary. So help me God.</p>	<p>I, [name], swear that I will faithfully and diligently serve Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second</i>], Queen (or King) of New Zealand, her (or his) heirs and successors, according to law, in the office of Parliamentary Under-Secretary. So help me God.</p>
<p><i>Armed Forces oath</i></p> <p>I, (Name), solemnly promise and swear that I will be faithful and bear true allegiance to our Sovereign Lady the Queen, her heirs and successors, and that I will faithfully serve in the New Zealand Naval Forces/the New Zealand Army/the Royal New Zealand Air Force (<i>Delete the Services that are not appropriate</i>), and that I will loyally observe and obey all orders of Her Majesty, her heirs and successors, and of the officers set over me, until I shall be lawfully discharged. So help me God.</p>	<p>I, [name], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second</i>], Queen (or King) of New Zealand, her (or his) heirs and successors; and that I will faithfully and diligently serve in the New Zealand Naval Forces / the New Zealand Army / the Royal New Zealand Air Force [<i>delete the Services that are not appropriate</i>]; and that I will loyally observe and obey all orders of Her (or His) Majesty, her (or his) heirs and successors, and of the officers set over me, until I am lawfully discharged. So help me God.</p>

Current oath	Proposed oath (English version)
<p><i>Citizenship oath</i></p> <p>I, (Full name), swear that I will be faithful and bear true allegiance to Her [or His] Majesty [<i>Specify the name of the reigning Sovereign, as thus:</i> Queen Elizabeth the Second, Queen of New Zealand.] Her [or His] heirs and successors, according to law, and that I will faithfully observe the laws of New Zealand and fulfil my duties as a New Zealand citizen. So help me God.</p>	<p>I, [<i>name</i>], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in:</i> Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, and that I will be loyal to New Zealand, will obey the law, and will respect the democratic values of New Zealand and the rights and freedoms of its people. So help me God.</p>
<p><i>Local Government member's declaration</i></p> <p>I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [<i>region or district</i>], the powers, authorities, and duties vested in, or imposed upon, me as [<i>mayor or chairperson or member</i>] of the [<i>local authority</i>] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act Dated at [<i>place</i>] this [<i>number</i>] day of [<i>month</i>] [<i>year</i>] Signature: Signed in the presence of: CD, [<i>mayor or chairperson or member or chief executive of local authority</i>]</p>	<p>I, [<i>name</i>], declare that, as [<i>office</i>] of the [<i>local authority</i>], I will faithfully, impartially, and to the best of my ability, exercise the powers, and carry out the functions and duties, vested in me by law, in the best interests of [<i>region or district</i>]. Date: Signature: Witness [<i>being one of the persons listed in subclause (2)</i>]:</p>
<p><i>Police oath</i></p> <p>I, A.B., do swear that I will well and truly serve our Sovereign Lady the Queen in the Police, without favour or affection, malice or ill-will, until I am legally discharged; that I will see and cause Her Majesty's peace to be kept and preserved; that I will prevent to the best of my power all offences against the peace; and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law. So help me God.</p>	<p>I, [<i>name</i>], swear that I will faithfully and diligently serve Her (or His) Majesty [<i>specify the name of the reigning Sovereign, as in:</i> Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, in the Police, without favour or affection, malice or ill will, until I am lawfully discharged. While in the Police I will, to the best of my power, keep the peace and prevent offences against the peace, and will, to the best of my skill and knowledge, perform all the duties of the office of constable according to law. So help me God.</p>

Current oath	Proposed oath (English version)
<p><i>Special Constable's Oath</i></p> <p>I, (<i>full name</i>), swear that I will well and truly serve our Sovereign Lady the Queen in the office of special constable at and the neighbourhood thereof, without fear or favour, affection or ill will, and that I will to the best of my ability cause the peace to be kept and preserved, and prevent all offences against the persons and properties of Her Majesty's subjects, and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law. So help me God.</p>	<p>I, [<i>name</i>], swear that I will faithfully and diligently serve Her (<i>or His</i>) Majesty [<i>specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second</i>], Queen (<i>or King</i>) of New Zealand, her (<i>or his</i>) heirs and successors, as a special constable at [<i>place</i>], without favour or affection, malice or ill will. While I hold this office I will, to the best of my power, keep the peace and prevent offences against the peace and will, to the best of my skill and knowledge, perform all the duties of the office of special constable according to law. So help me God.</p>

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 sets out the purposes of the Bill.

Part 1 Amendments to Oaths and Declarations Act 1957

Clause 4 provides that, in *Part 1*, the Oaths and Declarations Act 1957 is called “the principal Act”.

Clause 5 amends section 4 of the principal Act, which provides that an affirmation can be made in place of an oath. Subsection (2) of that section currently provides that the affirmation must be in the form “I, AB, solemnly, sincerely, and truly declare and affirm”. *Clause 5* replaces that requirement with one that omits the words “truly declare”. The new words will now match the written affirmation, which is set out in *subsection (3)* but not changed from its current form. *New subsections (4) and (5)* set out Māori versions of the oral and written affirmations.

Clause 6 repeals section 4A of the principal Act and substitutes a *new section 4A*. The section at present provides that if Māori language

versions of any of the oaths or affirmations set out in the principal Act are provided in regulations, use of that Māori language version has the same effect as using the English version. *Clause 6* amends this to say that using a Māori version of an oath or declaration provided in *any* enactment has the same effect as using the English oath or declaration. This Bill sets out Māori versions of oaths and declarations in a number of enactments.

Clause 7 repeals sections 17 to 21 of the principal Act, and substitutes 5 new sections.

New section 17 replaces the current Oath of Allegiance with a modernised version, in both English and Māori.

New section 18 replaces the current Judicial Oath with a modernised version, in both English and Māori.

New section 19 replaces the current Executive Councillor's Oath with a modernised version, in both English and Māori.

New section 20 replaces the current Parliamentary Under-Secretary's Oath with a modernised version, in both English and Māori.

New section 21 provides for a new Parliamentary Oath, in both English and Māori. By the amendment made in *clause 19*, this is the oath that members of Parliament must take before they can sit or vote in the House of Representatives. Section 21 of the principal Act currently provides for an Official Oath. This oath is no longer in use for any purpose. The new Parliamentary Oath being provided for in section 21 has no connection with the old Official Oath.

Clause 8 amends section 24(2) of the principal Act, which is about who may administer the Parliamentary Under-Secretary's Oath. The amendment inserts a provision that will allow the officer for the time being acting as Clerk of the Executive Council to administer the oath, in order to provide flexibility when the Clerk of the Executive Council is unavailable.

Clause 9 amends section 30A of the principal Act by repealing those paragraphs of the regulation-making power that authorised the prescribing of Māori versions of certain oaths. This is done because Māori versions of those particular oaths are now to be provided, by this Bill, in the principal Act itself.

Part 2

Amendments to other enactments

Clause 10 amends regulation 3 of the Defence Regulations 1990 by replacing the Armed Forces oath with a modernised version, in both English and Māori.

Clause 11(1) amends section 11 of the Citizenship Act 1977 to expressly provide that the oath of allegiance taken under that Act may be taken in either English or Māori. *Subclause (2)* then sets out the new Citizenship oath, in both English and Māori.

Clause 12 amends Schedule 7 of the Local Government Act 2002 by substituting a modernised version of the declaration taken by local government members. It is provided in both English and Māori.

Clause 13 amends section 37 of the Police Act 1958 by replacing the Police oath with a modernised version, in both English and Māori.

Clause 14 amends the Summary Proceedings Regulations 1958 by replacing the Special Constable's oath with a modernised version, in both English and Māori. This oath, suitably adapted, is also used for bailiffs.

Minor amendments to other oaths

Clause 15 amends the Environment Act 1986 to adjust the wording of the oaths required under that Act so that it refers to “disclosing” information, rather than to “divulging” information.

Clause 16 amends the Ombudsmen Act 1975 in the same way as the Environment Act 1986 is amended.

Clause 17 amends the Public Audit Act 2001 by adjusting the wording of the oath taken under that Act to refer to “faithfully” performing duties, rather than “honestly” performing them.

Clause 18 amends the Resource Management Act 1991 in the same way as the Public Audit Act 2001 is amended.

Other amendments

Clause 19 amends the Constitution Act 1986 by omitting the requirement that, before being permitted to sit or vote in the House of Representatives, members of Parliament must take the Oath of Allegiance, and substituting a requirement that they take the new Parliamentary

Oath, as set out in *new section 21* of the Oaths and Declarations Act 1957 (see *clause 7*) instead.

Clause 20 repeals section 162 of the Education Act 1964, which is a requirement that teachers take a form of oath of allegiance.

Clause 21 revokes the Oaths and Declarations (Māori Language) Regulations 2004. Those regulations set out Māori versions of some oaths in the Oaths and Declarations Act 1957. Māori versions of those oaths are, by this Bill, to be set out in that Act itself.

Hon Phil Goff

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Government Bill

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Oaths Modernisation Act **2005**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

5

3 Purpose

The purpose of this Act is to—

(a) modernise and standardise the texts of certain oaths, and of one declaration, that are set out in statute:

(b) simplify the words of affirmation that are used as an alternative to swearing an oath:

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- (c) provide Māori versions of the modernised oaths and the declaration, and of the words of affirmation:
- (d) provide a specific Parliamentary Oath for Members of Parliament:
- (e) revise the text of the Citizenship oath: 5
- (f) repeal the requirement for teachers to take an oath.

Part 1

Amendments to Oaths and Declarations Act 1957

- 4 Oaths and Declarations Act 1957 called principal Act in this Part** 10
In this Part, the Oaths and Declarations Act 1957¹ is called “the principal Act”.
- 5 Right to make affirmation instead of oath** 15
Section 4 of the principal Act is amended by repealing subsections (2) and (3) and substituting the following subsections:
- “(2) A spoken affirmation in English must commence with the words ‘I, [*name*], solemnly and sincerely affirm’, and proceed with the words of the oath prescribed by law, omitting any words of imprecation or calling to witness. 20
- “(3) A written affirmation in English must begin ‘I, [*name*], of [*place*], solemnly and sincerely affirm’; and the form instead of jurat must be ‘Affirmed at [*place*] on [*date*] before me’.
- “(4) A spoken affirmation in Māori must commence with the words ‘Tēnei au, a [*ingoa*], e whakakoia tūturu pono nei’, and proceed with the words of the oath prescribed by law, omitting any words of imprecation or calling to witness. 25
- “(5) A written affirmation in Māori must begin ‘Tēnei au, a [*ingoa*], o [*wāhi*], e whakakoia tūturu pono nei’; and the form instead of jurat must be ‘I whakakoia i mua i ahau i [*wāhi*] i te [*rā*]’.” 30
- 6 New section 4A substituted**
The principal Act is amended by repealing section 4A and substituting the following section:

¹ 1957 No 88

“4A Oaths and declarations in Māori

“(1) If an enactment sets out a Māori version of an oath or declaration, using the Māori version has the same effect as using the English version.

“(2) The fact that an enactment does not provide a Māori version of an oath or declaration does not determine whether making the oath or declaration in Māori is effective or not.”

7 New sections 17 to 21 substituted

The principal Act is amended by repealing sections 17 to 21, and substituting the following sections:

“17 Oath of Allegiance

The oath referred to in this Act as the Oath of Allegiance must be in either of the following forms:

English form

I, [name], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, according to law. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, ka piri honga ahau, ka mau pono hoki ki a Ia Arikinui [tohua te ingoa o te Arikinui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, e ai ki te ture. Nō reira, āwhina mai i ahau e te Atua.

“18 Judicial Oath

The oath referred to in this Act as the Judicial Oath must be in either of the following forms:

English form

I, [name], swear that in the office of [.....], I will faithfully serve Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, and that, in that office, I will act fairly and impartially, and do right to all people, without fear or favour, affection or ill will, and in accordance with the laws and practices of New Zealand. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, i te tūranga o [.....] ka rato pirihonga ahau i a Ia Arikiniui [tohua te ingoa o te Arikiniui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, ā, i roto i taua tūranga, ka mahi tautika, ka mahi tōkeke ā, ka mahi pono hoki ahau ki ngā tāngata katoa i roto i te kore wehi, kore tautoko rānei, kore aroha, kore whakaaro kino rānei, e ai ki ngā ture me ngā tikanga o Niu Tīreni. Nō reira, āwhina mai i ahau e te Atua.

“19 Executive Councillor’s Oath

The oath referred to in this Act as the Executive Councillor’s Oath must be in either of the following forms:

English form

I, [name], having been appointed as a member of the Executive Council of New Zealand, swear that I will be a faithful and diligent Councillor. I will, whenever required and to the best of my ability, advise the Governor-General for the time being, for the good government of New Zealand. I will not disclose the matters considered in Council except as authorised by the Council or required by law. So help me God.

Māori form

Tēnei au, a [ingoa], kua whakatūria nei hei mema mō te Kaunihera Rāngai o Niu Tīreni, e kī taurangi nei, ka Kaikaunihera pirihianga, urupū hoki ahau. Ka ngana ahau, i ngā wā e hiahiatia ana, i runga hoki i ōku tino āheinga, ki te tohutohu i te Kāwana Tianara o tēnei wā, mō te kāwana pai o Niu Tīreni. E kore au e whāki i ngā take kōrero a te Kaunihera atu i tā te Kaunihera whakaae, tā te Ture tonu rānei. Nō reira, āwhina mai i ahau e te Atua.

“20 Parliamentary Under-Secretary’s Oath

The oath referred to in this Act as the Parliamentary Under-Secretary’s Oath must be in either of the following forms:

English form

I, [name], swear that I will faithfully and diligently serve Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, according to law, in the office of Parliamentary Under-Secretary. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei ka rato pirihianga, urupū hoki ahau i a Ia Arikiniui [tohua te ingoa o te Arikiniui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, e ai ki te ture, i te tūranga o te Hekeretari Tuarua ki te Paremata. Nō reira, āwhina mai i ahau e te Atua.

“21 Parliamentary Oath

The oath referred to in **section 11(1)** of the Constitution Act 1986 as the Parliamentary Oath must be in either of the following forms:

English form

I, [name], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [*specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second*], Queen (or King) of New Zealand, her (or his) heirs and successors, according to law, and that, as a Member of Parliament, I will be loyal to New Zealand and will respect its democratic values and the rights and freedoms of its people. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, ka piri honga ahau, ka maupono hoki ki a Ia Arikinui [*tohua te ingoa o te Arikinui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua*], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, e ai ki te ture, ā, i ahau e Mema Paremata nei, ka pūmau taku pono ki Niu Tīreni, ka kauanuanu hoki ki ōna uara manapori me ngā mōtika me ngā pātea o tōna iwi. Nō reira, āwhina mai i ahau e te Atua.”

8 By whom Parliamentary Under-Secretary’s Oath to be taken

Section 24(2) of the principal Act is amended by omitting the words “or the Clerk of the Executive Council”, and substituting the words “, the Clerk of the Executive Council, or the officer for the time being acting as Clerk of the Executive Council”.

9 Regulations

Section 30A of the principal Act is amended by repealing paragraphs (a), (b), and (e) to (i).

Part 2 Amendments to other enactments

Armed Forces oath

10 Defence Regulations 1990 amended

Regulation 3 of the Defence Regulations 1990 is amended by 5
revoking subclause (1), and substituting the following sub-
clause:

- “(1) For the purposes of section 35 of the Act, the oath of allegiance 10
may be taken in either of the following forms, or in a form to
like effect:

English form

I, [name], swear that I will be faithful and bear true allegiance
to Her (or His) Majesty [*specify the name of the reigning*
Sovereign, as in: Queen Elizabeth the Second], Queen (or
King) of New Zealand, her (or his) heirs and successors; and
that I will faithfully and diligently serve in the New Zealand
Naval Forces / the New Zealand Army / the Royal New
Zealand Air Force [*delete the Services that are not appropri-*
ate]; and that I will loyally observe and obey all orders of Her
(or His) Majesty, her (or his) heirs and successors, and of the
officers set over me, until I am lawfully discharged. So help
me God.

Māori form

Tēnei au, a [ingoa] e kī taurangi nei, ka piri honga ahau, ka
mau pono hoki ki a Ia Arikinui [*tohua te ingoa o te Arikinui kei*
runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini
(Kīngi rānei) o Niu Tīreni / te Tauā Whenua o Niu Tīreni / te
Tauā Rangi o Niu Tīreni [*mukua ngā Tauā kore hāngai*]; ā, ka
pūmau taku aro me taku tuohu ki ngā tonu a Te Arikinui, ōna
uri whakaheke, me ngā āpiha kei runga ake i ahau, tae noa ki
te wā ka whakawāteatia ā-turehia ahau. Nō reira, āwhina mai
i ahau e te Atua.”

*Citizenship oath***11 Citizenship Act 1977 amended**

- (1) Section 11 of the Citizenship Act 1977 is amended by inserting, after the words “taking an oath of allegiance”, the words “, in either English or Māori,”.
- (2) Schedule 1 of the Citizenship Act 1977 is amended by omitting the words of the oath of allegiance set out in that schedule and substituting the following:

5

English form

I, [name], swear that I will be faithful and bear true allegiance to Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, and that I will be loyal to New Zealand, will obey the law, and will respect the democratic values of New Zealand and the rights and freedoms of its people. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, ka piri honga ahau, ka mau pono hoki ki a Ia Arikinui [tohua te ingoa o te Arikinui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, ā, ka pūmau taku pono ki Niu Tīreni, ka tuohu ki te ture, ka kauanuanu hoki ki ngā uara manapori o Niu Tīreni me ngā mōtika me ngā pātea o tōna iwi. Nō reira, āwhina mai i ahau e te Atua.

*Local Government member’s declaration***12 Local Government Act 2002 amended**

10

Clause 14 of Schedule 7 of the Local Government Act 2002 is amended by repealing subclause (3), and substituting the following subclause:

- “(3) The declaration may be in either of the following forms:

English form

I, [name], declare that, as [office] of the [local authority], I will faithfully, impartially, and to the best of my ability, exercise the powers, and carry out the functions and duties, vested in me by law, in the best interests of [region or district].

Date:

Signature:

Witness [being one of the persons listed in subclause (2)]:

Māori form

Tēnei au, a [ingoa], kua tū nei hei [āpiha] mō te [mana rohe] e whakapuaki nei, ka pirihonga, ka tōkeke, i roto hoki i tōku tino āheinga, taku whakamahi i te mana, whakatutuki hoki i ngā mahi kua hōmai te ture ki ahau, hei tino painga mō te rohe o [ingoa rohe].

Te rā:

Waitohu:

Mataara [ko tētahi o ngā tāngata kua rārangihia i te whitiiti (2)].”

*Police oath***13 Police Act 1958 amended**

Section 37 of the Police Act 1958 is amended by repealing subsection (1), and substituting the following subsection:

- “(1) Every constable must take the Police oath, in either of the following forms, before a Justice or a commissioned officer of Police: 5

English form

I, [name], swear that I will faithfully and diligently serve Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, in the Police, without favour or affection, malice or ill will, until I am lawfully discharged. While in the Police I will, to the best of my power, keep the peace and prevent offences against the peace, and will, to the best of my skill and knowledge, perform all the duties of the office of constable according to law. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, ka rato pirihihonga, urupū hoki ahau i a Ia Arikinui [tohua te ingoa o te Arikinui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, i roto i te Kāhui Pirihihonga, i roto i te kore tautoko, kore aroha rānei, kore mahi kino, kore whakaaro kino rānei, tae rawa ki te wā ka tukua pāteatia ahau e te ture. I te wā kei roto ahau i te Kāhui Pirihihonga, ka pōkaikaha ahau ki te hohou i te rongō me te kaupare atu i nga mahi kotikoti i te rongō, ā, i roto i ōku tino pūkenga me ōku mōhio, ka whakatutuki i ngā mahi kua whakaritea hei mahi mā te pirihihonga e ai ki te ture. Nō reira, āwhina mai i ahau e te Atua.

*Special Constable's oath***14 Summary Proceedings Regulations 1958 amended**

Form 49 of Schedule 1 of the Summary Proceedings Regulations 1958 is amended by omitting the words of the oath set out in that form, and substituting the following:

5

English form

I, [name], swear that I will faithfully and diligently serve Her (or His) Majesty [specify the name of the reigning Sovereign, as in: Queen Elizabeth the Second], Queen (or King) of New Zealand, her (or his) heirs and successors, as a special constable at [place], without favour or affection, malice or ill will. While I hold this office I will, to the best of my power, keep the peace and prevent offences against the peace and will, to the best of my skill and knowledge, perform all the duties of the office of special constable according to law. So help me God.

Māori form

Tēnei au, a [ingoa], e kī taurangi nei, ka rato pirihihonga, urupū hoki ahau i a Ia Arikinui [tohua te ingoa o te Arikinui kei runga i te torona, pērā ki a Kuini Irihāpeti te Tuarua], Kuini (Kīngi rānei) o Niu Tīreni, me ōna uri whakaheke, hei pirihihonga motuhake ki [wāhi] i roto i te kore tautoko, kore aroha rānei, kore mahi kino, kore whakaaro kino rānei. I te wā kei tēnei tūranga ahau ka pōkaikaha ahau ki te hohou i te rongo me te kaupare atu i nga mahi kotikoti i te rongo, ā, i roto i ōku tino pūkenga me ōku mōhio, ka whakatutuki i ngā mahi kua whakaritea hei mahi mā te pirihihonga motuhake, e ai ki te ture. Nō reira, āwhina mai i ahau e te Atua.

*Minor amendments to other oaths***15 Environment Act 1986 amended**

- (1) Section 10(1) of the Environment Act 1986 (which describes the oath taken by the Parliamentary Commissioner for the Environment) is amended by omitting the word “divulge”, and substituting the word “disclose”. 5
- (2) Section 20(3) of the Environment Act 1986 (which describes the oath taken by a person holding office or appointment under the Parliamentary Commissioner for the Environment) is amended by omitting the word “divulge”, and substituting the word “disclose”. 10

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- 16 Ombudsmen Act 1975 amended**
- (1) Section 10(1) of the Ombudsmen Act 1975 (which describes the oath taken by an Ombudsman) is amended by omitting the word “divulge”, and substituting the word “disclose”.
- (2) Section 21(3) of the Ombudsmen Act 1975 (which describes the oath taken by persons holding office or appointment under the Chief Ombudsman) is amended by omitting the word “divulge”, and substituting the word “disclose”. 5
- 17 Public Audit Act 2001 amended**
- Clause 3(1) of Schedule 3 of the Public Audit Act 2001 (which describes the oath taken by the Auditor-General and the Deputy Auditor-General) is amended by omitting the word “honestly”, and substituting the word “faithfully”. 10
- 18 Resource Management Act 1991 amended**
- Section 256 of the Resource Management Act 1991 (which describes the oath taken by an Environment Commissioner and a Deputy Environment Commissioner) is amended by omitting the word “honestly”, and substituting the word “faithfully”. 15
- Other amendments*
- 19 Constitution Act 1986 amended** 20
- Section 11(1) of the Constitution Act 1986 is amended by omitting the words “Oath of Allegiance in the form prescribed in section 17”, and substituting the words “Parliamentary Oath set out in **section 21**”.
- 20 Education Act 1964 amended** 25
- Section 162 of the Education Act 1964 is repealed.
- 21 Revocation of Oaths and Declarations (Māori Language) Regulations 2004**
- The Oaths and Declarations (Māori Language) Regulations 2004 (SR 2004/182) are revoked. 30