



Oaths and Declarations Amendment Act 2002

Public Act 2002 No 71
Date of assent 18 December 2002
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Oaths and Declarations Amendment Act 2002.
- (2) In this Act, the Oaths and Declarations Act 1957 is called “the principal Act”.

2 Commencement

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

3 New section 4A inserted

The principal Act is amended by inserting, after section 4, the following section:

“4A Oaths and affirmations in Māori

- “(1) If a te reo Māori equivalent of any of the oaths or affirmations set out in this Act is prescribed by regulations made under section 30A, using that te reo Māori equivalent has the same effect as using the oath or affirmation set out in this Act.

- “(2) This section applies despite anything in section 4 or in any of sections 16 to 21.”

4 Declarations made in New Zealand

- (1) Section 9 of the principal Act is amended by repealing paragraph (i), and substituting the following paragraphs:
- “(i) an employee of the Land Transport Safety Authority of New Zealand, authorised for that purpose (by name, or as the holder for the time being of a specified office or title) by the Minister of Justice by notice in the *Gazette*; or
 - “(ia) an employee of Public Trust constituted under the Public Trust Act 2001, authorised for that purpose (by name, or as the holder for the time being of a specified office or title) by the Minister of Justice by notice in the *Gazette*; or”.
- (2) Section 9 of the principal Act is amended by adding, as subsection (2), the following subsection:
- “(2) Despite subsection (1), if a te reo Māori equivalent of the declaration prescribed in the First Schedule is prescribed by regulations made under section 30A, using that te reo Māori equivalent has the same effect as using the declaration prescribed in the First Schedule.”
- (3) So much of Schedule 2 of the Public Trust Act 2001 as relates to the principal Act is repealed.

5 Witnesses under 12 may make declarations

Section 13 of the principal Act is amended by adding, as subsection (2), the following subsection:

- “(2) Despite subsection (1), if a te reo Māori equivalent of the declaration set out in subsection (1) is prescribed by regulations made under section 30A, using that te reo Māori equivalent has the same effect as using the declaration set out in subsection (1).”

6 New section 30A inserted

The principal Act is amended by inserting, after section 30, the following section:

“30A Regulations

The Governor-General may, by Order in Council, make regulations prescribing te reo Māori equivalents for any or all of the following:

- “(a) the affirmation set out in section 4(2):
- “(b) the affirmation set out in section 4(3):
- “(c) the declaration set out in section 13(1):
- “(d) the oath set out in section 16:
- “(e) the oath set out in section 17:
- “(f) the oath set out in section 18:
- “(g) the oath set out in section 19:
- “(h) the oath set out in section 20:
- “(i) the oath set out in section 21:
- “(j) the declaration prescribed in the First Schedule.”

Legislative history

12 December 2002	Divided from Statutes Amendment Bill (No 2) (Bill 198–2), third reading
18 December 2002	Royal assent

This Act is administered in the Ministry of Justice.
