

Queensland



ANNO TRICESIMO

ELIZABETHAE SECUNDAE REGINAE

No. 61 of 1981

**An Act to amend the Oaths Act 1867–1981 in certain
particulars and the Oaths Act Amendment Act
1891–1974 in a certain particular**

[ASSENTED TO 14TH SEPTEMBER, 1981]

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I—PRELIMINARY

1. **Short title.** This Act may be cited as the *Oaths Act and Another Act Amendment Act 1981*.

2. **Commencement.** (1) This section and section 1 shall commence on the day on which this Act is assented to for and on behalf of Her Majesty.

(2) Except as provided in subsection (1), this Act shall commence on a day to be fixed by Proclamation.

3. **Arrangement of Act.** This Act is arranged as follows:—

PART I—PRELIMINARY;

PART II—AMENDMENT OF THE OATHS ACT 1867–1981;

PART III—AMENDMENT OF THE OATHS ACT AMENDMENT ACT 1891–1974.

PART II—AMENDMENT OF THE OATHS ACT 1867–1981

4. **Citation.** (1) In this Part, the *Oaths Act 1867–1981*, being *The Oaths Acts, 1867 to 1960* as amended by the *Oaths Acts Amendment Act 1981*, is referred to as the Principal Act.

(2) The Principal Act as amended by this Part may be cited as the *Oaths Act 1867–1981*.

5. **Amendment of s. 17.** Affirmation instead of oath in certain cases. Section 17 of the Principal Act is amended by—

(a) omitting the words “shall refuse or be unwilling from alleged conscientious motives to be” and substituting the words “objects to being”;

(b) omitting the words “according to my religious belief unlawful” occurring in the words of the solemn affirmation contained in the said section and substituting the words “objectionable to me”;

(c) adding at the end of the section the following paragraph:—

“The objection to being sworn may be based on—

(a) an absence of religious beliefs;

(b) conscientious grounds;

(c) such other grounds as are considered reasonable by the court or judge or other presiding officer or person qualified to administer oaths or to take affidavits or depositions.”.

6. **Amendment of s. 23.** Witnesses' oath in civil causes. Section 23 of the Principal Act is amended by omitting the words “and jury sworn” occurring in the form of oath contained in the said section and substituting the words “[and jury sworn]”.

7. **New s. 23A.** The Principal Act is amended by inserting after section 23 the following section:—

“**23A. Witnesses’ oath in proceedings not otherwise specified.** Witnesses may be sworn in any judicial or other proceedings in respect of which a form of oath to be sworn therein is not provided in this Act in the following form or to the like effect—

“The evidence which you shall give to the court [*or in these proceedings*] shall be the truth the whole truth and nothing but the truth So help you God.” ”.

PART III—AMENDMENT OF THE OATHS ACT AMENDMENT ACT
1891–1974

8. **Citation.** The *Oaths Act Amendment Act 1891–1974* as amended by this Part may be cited as the *Oaths Act Amendment Act 1891–1981*.

9. **Amendment of Schedule.** The Schedule to the *Oaths Act Amendment Act 1891–1974* is amended by inserting after the words “to the Court” the words “ [*or in these proceedings*] ”.