



Queensland

Oaths Amendment Regulation 2024

Subordinate Legislation 2024 No. 214

made under the

Oaths Act 1867

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1 Short title

This regulation may be cited as the *Oaths Amendment Regulation 2024*.

2 Commencement

This regulation commences on 3 February 2025.

3 Regulation amended

This regulation amends the *Oaths Regulation 2022*.

4 Amendment of s 2 (Definitions for regulation)

(1) Section 2, heading, ‘for regulation’—

omit.

(2) Section 2, definition *relevant affidavit*—

omit.

(3) Section 2—

insert—

relevant affidavit means an affidavit made by a police officer in the course of the police officer’s duty.

relevant declaration means a declaration made by a police officer in the course of the police officer’s duty.

5 Insertion of new pt 2, div 1, hdg

Before section 3—

insert—

Division 1

General

[s 6]

6 Replacement of s 3 (Information witness must include on affidavit—Act, s 13E)

Section 3—

omit, insert—

3 Information witness must include on affidavit or declaration

For section 13E(3)(b) of the Act, if the witness to the affidavit or declaration is a person prescribed under section 4, 5B, 6 or 8, the prescribed information is the witness's rank or position.

7 Insertion of new pt 2, div 2, hdg

After section 3—

insert—

Division 2 Witnessing affidavits in person

8 Amendment of s 4 (Prescribed persons for witnessing affidavits—Act, s 16A)

Section 4, '16A(1)'—

omit, insert—

16A(1)(e)

9 Insertion of new s 5A

After section 5—

insert—

5A Prescribed condition for witnessing affidavits—Act, s 16A

(1) For section 16A(2)(a) of the Act, this section prescribes a condition for the witnessing, by a person prescribed under section 4, of a type of affidavit prescribed under section 5.

- (2) The condition is that the person must not be directly involved in the matter to which the contents of the affidavit relates.

10 Insertion of new pt 2, div 3 and div 4, hdg

After section 5A, as inserted by this regulation—

insert—

Division 3 Witnessing declarations in person

5B Prescribed persons for witnessing declarations—Act, s 16B

For section 16B(1)(d) of the Act, a senior police officer is prescribed.

5C Witnessing prescribed types of declarations—Act, s 16B

For section 16B(2)(a) of the Act, a relevant declaration is prescribed as the only type of declaration that may be witnessed by a person prescribed under section 5B.

5D Prescribed condition for witnessing declarations—Act, s 16B

- (1) For section 16B(2)(a) of the Act, this section prescribes a condition for the witnessing, by a person prescribed under section 5B, of a type of declaration prescribed under section 5C.
- (2) The condition is that the person must not be directly involved in the matter to which the contents of the declaration relates.

**Division 4 Witnessing electronically
signed affidavits or
declarations in person**

**11 Amendment of s 6 (Persons prescribed as witness—Act,
s 16C)**

Section 6, after ‘affidavit’—

insert—

or declaration

**12 Amendment of s 7 (Witnessing prescribed types of
affidavits—Act, s 16C)**

(1) Section 7, heading, after ‘affidavits’—

insert—

and declarations

(2) Section 7, from ‘is prescribed’ to ‘document’—

omit, insert—

and a relevant declaration are prescribed as the
only types of documents

13 Insertion of new s 7A

After section 7—

insert—

7A Prescribed condition—Act, s 16C

(1) For section 16C(3)(a) of the Act, this section prescribes a condition for the witnessing, by a person prescribed under section 6, of a type of affidavit or declaration prescribed under section 7.

(2) The condition is that the person must not be directly involved in the matter to which the

contents of the affidavit or declaration relates.

14 Amendment of s 9 (Prescribed types of documents—Act, s 31S)

Section 9, from ‘is prescribed’ to ‘document’—

omit, insert—

and a relevant declaration are prescribed as the only types of documents

15 Replacement of s 10 (Prescribed condition—Act, s 31S)

Section 10—

omit, insert—

10 Prescribed conditions

- (1) For section 31S(2)(a) of the Act, this section prescribes conditions for the witnessing, by a person prescribed under section 8, of a type of affidavit or declaration prescribed under section 9.
- (2) The conditions are that—
 - (a) the person must not be directly involved in the matter to which the contents of the affidavit or declaration relates; and
 - (b) it is not reasonably practicable to witness the affidavit or declaration other than under section 31S of the Act.

ENDNOTES

- 1 Made by the Governor in Council on 19 September 2024.
- 2 Notified on the Queensland legislation website on 20 September 2024.
- 3 The administering agency is the Department of Justice and Attorney-General.

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