

**House of Assembly—No 63**

As laid on the table and read a first time, 24 November 2004

South Australia

**Oaths (Abolition of Proclaimed Managers)  
Amendment Bill 2004**

A BILL FOR

An Act to amend the *Oaths Act 1936*; and to make a related amendment to the *Evidence (Affidavits) Act 1928*.

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## The Parliament of South Australia enacts as follows:

### Part 1—Preliminary

#### 1—Short title

This Act may be cited as the *Oaths (Abolition of Proclaimed Managers) Amendment Act 2004*.

#### 5 2—Commencement

- (1) Part 1 and Part 2 of this Act will come into operation on assent.
- (2) Part 3 and Schedule 1 of this Act will come into operation on 1 January 2007.

#### 3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

## **Part 2—Amendment of *Oaths Act 1936* to take effect immediately**

### **4—Amendment of section 33—Appointment of persons to take declarations and attest instruments**

5 Section 33—after subsection (3) insert:

- (4) Despite subsection (1), after the commencement of this subsection, the Governor may not appoint a manager to take declarations and attest the execution of instruments.
  - (5) The appointment of a person as a proclaimed manager that has not
- 10 earlier been terminated will terminate on 31 December 2006.

## **Part 3—Amendment of *Oaths Act 1936* to take effect on 1 January 2007**

### **5—Amendment of heading to Part 5**

Heading to Part 5—delete "persons" and substitute:

15 police officers

### **6—Amendment of section 32—Interpretation**

Section 32, definitions of *manager* and *proclaimed manager*—delete the definitions

### **7—Amendment of section 33—Appointment of police officers to take declarations and attest instruments**

20 (1) Section 33(1)—delete "managers, and"

(2) Section 33(2)(b)—delete paragraph (b) and substitute:

(b) the person ceasing to be a member of the police force; or

(3) Section 33(4) and (5)—delete subsections (4) and (5)

### **8—Amendment of section 34—Who may take declarations and attest instruments**

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(1) Section 34(d)—delete paragraph (d)

(2) Section 34—delete ", a manager, or"

(3) Section 34—delete "his office is situated, or"

### **9—Amendment of section 35—Meaning of terms in declarations and instruments**

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Section 35—delete "'proclaimed manager" or"

**Schedule 1—Related amendments of *Evidence (Affidavits) Act 1928***

**1—Amendment of section 2A—Power of members of police force to take affidavits**

- 5       (1) Section 2A(1)—delete "a proclaimed manager or"
- (2) Section 2A(2)—delete subsection (2) and substitute:
- (2) In this section—
- proclaimed member of the police force* means a member of the  
                                    police force appointed to take declarations and attest the execution of  
10                                      instruments under Part 5 of the *Oaths Act 1936*.