

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*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

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

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

- 5 Amendment of heading to Part 5
- 6 Amendment of section 32—Interpretation
- 7 Amendment of section 33—Appointment of police officers to take declarations and attest instruments
- 8 Amendment of section 34—Who may take declarations and attest instruments
- 9 Amendment of section 35—Meaning of terms in declarations and instruments

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

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

10 *proclaimed member of the police force* means a member of the police force appointed to take declarations and attest the execution of instruments under Part 5 of the *Oaths Act 1936*.