

House of Assembly

As passed all stages and awaiting assent.

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South Australia

Oaths (Abolition of Proclaimed Managers) Amendment Bill 2005

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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- 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 2005*.

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

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

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 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:
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

- (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

- (1) Section 34(d)—delete paragraph (d)
- (2) Section 34—delete "manager, or"
- (3) Section 34—delete "his office is situated, or"

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

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

- (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 instruments under Part 5 of the *Oaths Act 1936*.