

Legislative Council—No 51

As introduced and read a first time, 1 July 2020

South Australia

**Constitution (Pledge of Loyalty) Amendment
Bill 2020**

A BILL FOR

An Act to amend the *Constitution Act 1934*, and to make a related amendment to the *Oaths Act 1936*.

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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 *Constitution (Pledge of Loyalty) Amendment Act 2020*.

5 2—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 *Constitution Act 1934*

3—Substitution of section 42

10 Section 42—delete this section and substitute:

42—Pledge of loyalty

- (1) A member of Parliament, elected a member of Parliament on or after the commencement of the *Constitution (Pledge of Loyalty) Amendment Act 2020*, may not sit or vote therein until the member has taken and subscribed to the following pledge of loyalty before the Governor, or before some person or persons authorised by the Governor to administer such pledge of loyalty:

15 "I pledge my loyalty to Australia and to the people of South Australia."

- 5 (2) In the case of a member of Parliament elected before the commencement of the *Constitution (Pledge of Loyalty) Amendment Act 2020*, section 42 of the *Constitution Act 1934*, as in force immediately before the commencement, will, during so much of the term of office for which that member was elected as occurs after the commencement, apply in respect of that member as if the *Constitution (Pledge of Loyalty) Amendment Act 2020* had not been enacted.

Schedule 1—Related amendment of *Oaths Act 1936*

10 **1—Amendment of section 13—Affirmation in lieu of oath**

Section 13—delete "oath required by the *Constitution Act 1934*" and substitute:
pledge of loyalty required by the *Constitution Act 1934*