

## No. XIV.

An Act to abolish certain Oaths and Affirmations taken and made in the Customs Department of His Majesty's Revenue of New South Wales and to substitute Declarations in lieu thereof. [15th March, 1832.]

CUSTOMS' OATHS  
ABOLITION.

---

**W**HEREAS by the laws relating to the Revenues of Customs Preamble.  
numerous Oaths and solemn Affirmations are required to be taken and made by traders and other persons and from the frequent occasions on which such Oaths and Affirmations are required and the consequent number thereof administered the reverence and respect which should attach to such solemn obligations have been weakened and their binding force not duly regarded and whereas it is expedient to assimilate the laws of New South Wales to the laws lately passed in England in that respect by diminishing the number of such Oaths and substituting other regulations in lieu thereof Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council of the same That in all cases where by any law relating to the Revenues of the Customs now in force in this Colony any Oath solemn Affirmation or Affidavit shall be required

Where an Oath or  
Affirmation is now  
required by any law

*Customs' Oaths Abolition.*

relating to the Customs a Declaration shall be made instead thereof except in cases specially provided for.

required to be taken or made by any person on the doing of any act matter or thing or for verifying any book account entry or return or for any purpose whatsoever such Oath solemn Affirmation or Affidavit shall no longer except in the cases hereinafter specially provided for be taken made or required but in lieu thereof the person who would under any law imposing the same have been required to take or make such Oath solemn Affirmation or Affidavit shall in the presence of the Collector Controller or other person empowered by such law to administer such Oath solemn Affirmation or Affidavit make and subscribe a Declaration setting forth the matters contained in and to the same effect as the Oath solemn Affirmation or Affidavit which would have been required if this Act had not been passed and declaring to the truth thereof and if any such Declaration shall be untrue in any particular the person making the same shall over and above every other penalty to which such person may become subject forfeit one hundred pounds.

Certain oaths relating to the Revenue of Customs excepted.

2. Provided always and be it further enacted That nothing herein contained shall extend to any Oath required to be taken on account of any office relating to the Revenue of Customs or for the discharge thereof nor to any Oath administered upon any examination or enquiry made by order of the Governor for the time-being or by any Collector or Controller of the Customs for ascertaining the truth of facts relative to the Customs or the conduct of persons or officers employed therein or by any person or persons appointed by the Commissioners of His Majesty's Customs to make such examination or enquiry or to any Oath administered to any person in any judicial proceeding in any Court of Justice or before any Justice of the Peace for recovery of any penalty or forfeiture or before the Collector or Controller or other person duly authorized in that behalf for obtaining any abatement return or allowance of duties or as to the registry of any ship or vessel but all such Oaths shall continue to be required and to be made taken and administered as if this Act had not been passed.

Commissioners Collector or Controller may require a written Declaration in lieu of an oath.

3. And whereas it is expedient that in all cases where the Commissioners Collector or Controller of the Customs may deem it requisite to require confirmation of any written statement or allegation relative to the seizure of goods or of any other matter relating to their department such confirmation should instead of being required to be made on Oath be made by a Declaration of the parties in writing Be it therefore enacted That in such cases no Affidavit or Oath be required but that in lieu thereof the party shall make and subscribe a written Declaration to the truth of the statement or allegation and if any such Declaration made by any such person shall be false and untrue in any particular the person making such false Declaration shall forfeit one hundred pounds.

Recovery of penalties.

4. And be it further enacted That the penalties by this Ordinance imposed shall be sued for and recovered in the same manner and under the same provisions as any penalty imposed by any law relating to the Revenues of Customs in force within the said Colony may be sued for and recovered.

Commencement of Act.

5. And be it further enacted That this Law or Ordinance shall commence and take effect from and after the first day of May next after the passing thereof.