

OATHS (AMENDMENT) ACT.

Act No. 4, 1953.

Elizabeth II, An Act to make further provision with respect
No. 4, 1953. to the taking or making of oaths, declarations
or affidavits outside the State, and the
verification of instruments executed outside
the State; for that purpose to amend the
Oaths Act, 1900, the Conveyancing Act, 1919,
and certain other Acts in certain respects;
and for purposes connected therewith. [As-
sented to, 25th September, 1953.]

BE

BE it enacted by the Queen's Most Excellent Majesty, No. 4, 1953.
 by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Oaths (Amendment) Act, 1953." Short title and citation.

(2) The Oaths Act, 1900, as amended by subsequent Acts and by this Act, may be cited as the Oaths Act, 1900-1953.

(3) The Conveyancing Act, 1919, as amended by subsequent Acts and by this Act, may be cited as the Conveyancing Act, 1919-1953.

2. The Oaths Act, 1900-1936, is amended—

(a) by inserting in paragraph (b) of section twenty-six before the word "place" wherever occurring the words "country or";

(b) by inserting at the end of the same section the following word, new paragraph and new subsection:—

and

(c) in any country or place out of the said State before a British Consular Officer or an Australian Consular Officer exercising his functions in that country or place.

(2) In this section and in section 26A of this Act—

"Australian Consular Officer" means a person appointed to hold or act in any of the following offices (being an office of the Commonwealth of Australia) in a country or place outside the Commonwealth of Australia, namely, Ambassador, High Commissioner, Minister, Head of Mission, Commissioner, Chargé d' Affaires, Counsellor

or

Amendment of Act No. 20, 1900.
 Sec. 26.
 (Before whom oaths and affidavits may be taken.)

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or Secretary at an Embassy, High Commissioner's Office or Legation, Consul-General, Consul, Vice-Consul, Trade Commissioner and Consular Agent.

“British Consular Officer” means a British Ambassador, Envoy, Minister, Chargé d’ Affaires, Secretary of Embassy or Legation, Consul-General, Acting Consul-General, Consul, Acting Consul, Vice-Consul, Acting Vice-Consul, Pro-consul, Consular Agent and Acting Consular Agent.

Sec. 26A.
(Judicial notice to be taken of certain seals and signatures.)

(c) by inserting at the end of section 26A the following new subsection:—

cf. 52 and 53 Vic., c. 10, s. 6 (2).

(2) Any document purporting to have affixed, impressed or subscribed thereon or thereto the seal or signature of any person authorised by paragraph (c) of subsection one of section twenty-six to administer an oath in testimony of any oath, declaration or affidavit being taken or made before him under that paragraph shall be admitted in evidence without proof of the seal or signature being the seal or signature of that person, or of the official character of that person.

Amendment of Act No. 6, 1919.

Sec. 168.
(Verification of instruments executed out of New South Wales.)

3. The Conveyancing Act, 1919, as amended by subsequent Acts, is amended—

(a) by omitting from paragraph (b) of subsection one of section one hundred and sixty-eight the words “British Minister or Consul” and by inserting in lieu thereof the words “British Consular Officer or Australian Consular Officer”;

(b) by omitting from the same paragraph the words “such Minister or Consul” and by inserting in lieu thereof the words “such Consular Officer”;

(c)

(c) by omitting subsection five of the same section and by inserting in lieu thereof the following subsection:—

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(5) In this section—

“Australian Consular Officer” means a person appointed to hold or act in any of the following offices (being an office of the Commonwealth of Australia) in a country or place outside the Commonwealth of Australia, namely, Ambassador, High Commissioner, Minister, Head of Mission, Commissioner, Chargé d’ Affaires, Counsellor or Secretary at an Embassy, High Commissioner’s Office or Legation, Consul-General, Consul, Vice-Consul, Trade Commissioner and Consular Agent.

“British Consular Officer” includes a British Ambassador, Envoy, Minister, Chargé d’ Affaires, Secretary of Embassy or Legation, Consul-General, Acting Consul-General, Consul, Acting Consul, Vice-Consul, Acting Vice-Consul, Proconsul, Consular Agent and Acting Consular Agent.