

## CLAUSE NOTES

### *Promissory Oaths (Consequential Amendments) Act 2015*

#### Part 1 – Preliminary

- Clause 1: Short Title of the Bill.
- Clause 2: Commencement on Royal Assent.

#### Part 2 – *Constitution Act 1934* Amended

- Clause 3: Provides that the Principal Act for Part 2 is the *Constitution Act 1934*.
- Clause 4: Amends the *Constitution Act 1934* by repealing section 30 of that Act and substituting it with a new section that prohibits Members of Parliament appointed after the *Promissory Oaths Act 2015* from acting or voting in Parliament until they take their oath under that Act.

#### Part 3 – *Coroners Act 1995* Amended

- Clause 5: Provides that the Principal Act for Part 3 is the *Coroners Act 1995*.
- Clause 6: Amends the *Coroners Act 1995* by repealing section 11 of that Act and substituting it with a new section that prohibits Coroners appointed after the *Promissory Oaths Act 2015* commenced from exercising the functions, duties or powers of their office until they take their oath under that Act.

#### Part 4 – *Justices Act 1959* Amended

- Clause 7: Provides that the Principal Act for Part 4 is the *Justices Act 1959*.
- Clause 8: Amends the *Justices Act 1959* by repealing section 4 of that Act and substituting it with a new section that prohibits Justices appointed after the *Promissory Oaths Act 2015* commenced from exercising the functions, duties or powers of their office until they take their oath under that Act.
- Clause 9: Amends the *Justices Act 1959* by repealing section 14 of that Act and substituting it with a new section that prohibits extra-territorial Justices appointed after the *Promissory Oaths Act 2015*

commenced from exercising the functions, duties or powers of their office until they take their oath under that Act.

#### Part 5 – *Magistrates Court Act 1987* Amended

Clause 10: Provides that the Principal Act for Part 5 is the *Magistrates Court Act 1987*.

Clause 11: Amends the *Magistrates Court Act 1987* by repealing section 7 of that Act and substituting it with a new section that prohibits Magistrates appointed after the *Promissory Oaths Act 2015* commenced from exercising the functions, duties or powers of their office until they take their oath under that Act.

#### Part 6 – *Parliamentary (Disclosure of Interests) Act 1996* Amended

Clause 12: Provides that the Principal Act for Part 6 is the *Parliamentary (Disclosure of Interest) Act 1996*.

Clause 13: Amends the definition of “primary return date” in section 3 of the *Parliamentary (Disclosure of Interest) Act 1996* by removing the reference to taking an oath under the *Promissory Oaths Act 1869*, and substituting the taking of an oath as required under an Act to be taken by a Member of Parliament.

Clause 14: Amends section 4(2) of the *Parliamentary (Disclosure of Interest) Act 1996* by removing the reference to taking an oath under the *Promissory Oaths Act 1869*, and substituting the taking of an oath as required under an Act to be taken by a Member of Parliament.

#### Part 7 – Concluding Provision

Clause 15: States that this Act will be repealed one year from the day on which it commences.