

New Zealand.

ANNO TRICESIMO

V I C T O R I Æ R E G I N Æ .

No. 65.

ANALYSIS.

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AN ACT to give relief to persons who may refuse or be unwilling from alleged conscientious motives to be sworn in criminal proceedings.

Title.

[8th October 1866.]

WHEREAS it is expedient to grant relief to persons who may refuse or be unwilling from alleged conscientious motives to be sworn in criminal proceedings

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

I. The Short Title of this Act shall be “The Affirmations in lieu of Oaths in Criminal Proceedings Act 1866.”

Short Title.

II. If any person called as a witness in any Court of Criminal Jurisdiction in New Zealand or required or desiring to make an affidavit or deposition in the course of any criminal proceeding shall refuse or be unwilling from alleged conscientious motives to be sworn it shall be lawful for the Court or Judge or other presiding officer or person qualified to take affidavits or depositions upon being satisfied of the sincerity of such objection to permit such person instead of being sworn to make his or her solemn affirmation or declaration in the words following *videlicet*—

Persons refusing from conscientious motives to be sworn in criminal proceedings to be permitted to make a solemn affirmation or declaration.

“I A. B. do solemnly sincerely and truly affirm and declare that the taking of any oath is according to my religious belief unlawful and I do also solemnly sincerely and truly affirm and declare” &c.

which solemn affirmation and declaration shall be of the same force and effect as if such person had taken an oath in the usual form.

III. If any person making such solemn affirmation or declaration shall wilfully falsely and corruptly affirm or declare any matter or thing which if the same had been sworn in the usual forms would have amounted to wilful and corrupt perjury every such person so offending shall incur the same penalties as by the laws and statutes of this Colony are or may be enacted or provided against persons convicted of wilful and corrupt perjury.

Punishment for making false affirmation.

IV. This Act shall come into operation on the first day of November in the year one thousand eight hundred and sixty-six.

Commencement of Act.

WELLINGTON, NEW ZEALAND:

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