

RECEIVED
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LEGAL, CONSTITUTIONAL AND
ADMINISTRATIVE REVIEW
COMMITTEE

4226
14/5/09

The Research Director,
L.C.A.R. Committee
Parliament House
Brisbane.

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Dear Sir/Madam,

In making this submission,
we ask for your forbearance regarding
the hand-written informality.

Please be aware we have
deleted reference to monarchy allegiance because

1. that reference is explicit in both the Constitution of Australia and that of Queensland — and is therefore implicit in these pledges, all of which specify the centrality of law. It is therefore unnecessary.
2. Australia may well become a republic, with the death of the 83 year old Queen.
3. These pledges will serve in either case, thus obviating the need to re-do the whole exercise — and so saving of time, energy, money and trees.

Please also note, the omission of the 'swearing' & 'so help me God' is because

1. Australia is now a democratic and multi-cultural society in which all citizens should surely be able to use wording that applies to everyone, whatever the religion or lack of religion.
2. Modernisation was the specified requirement, and these terms smack of 16th.

and Ruth Mackinnon (octogenarian)
and Frederick Short (nonogenarian.)
& legally blind

Schedule 1 Oaths and affirmations

sections 22, 31, 41, 43, 46, 48 and 59³⁸

Oath or affirmation of allegiance and of office—member of the Legislative Assembly

I, ..(name).., do sincerely promise and swear (or, for an affirmation—do sincerely promise and affirm) that

I will be faithful and bear true Allegiance to Her (or His) Majesty..(name of Sovereign).. as lawful Sovereign of Australia and to Her (or His) heirs and successors, according to law; and

I will well and truly serve the people of Queensland and faithfully perform the duties and responsibilities of a member of the Legislative Assembly to the best of my ability and according to law.

So help me God! (or omitted for an affirmation).

Oath or affirmation of allegiance and of office—Governor and Acting Governor

I, ..(name).., do sincerely promise and swear (or, for an affirmation—do sincerely promise and affirm) that

I will be faithful and bear true Allegiance to Her (or His) Majesty..(name of Sovereign).. as lawful Sovereign of Australia and to Her (or His) heirs and successors, according to law; and

I will well and truly serve Her (or His) Majesty..(name of Sovereign).. in the office of Governor of Queensland (or, for an Acting Governor—in the office of Acting Governor of Queensland) in the Commonwealth of Australia, and will duly

Sections 22 (No member to sit or vote without first taking oath or making affirmation), 31 (Requirements concerning commission and oath or affirmation), 41 (Administration of Government by Acting Governor), 43 (Appointment of Ministers of the State), 46 (Member may act for a Minister), 48 (Executive Council) and 59 (Appointment of judges)

I - sincerely will of the Legislative Assembly of the Queensland Parliament, will faithfully abide by the constitutional laws of our country and I will serve the people of Queensland to the very best of my ability.

I - make a solemn prayer, occupying the office of Governor of Queensland, I will conscientiously carry out all the functions required by the Constitution of Queensland, and I will faithfully serve the people of Queensland with integrity and impartial justice.

Schedule 1 (continued)

perform the functions and exercise the powers of the office according to the best of my ability, skill and knowledge; and

I will, in all things associated with the office, duly and impartially administer justice in Queensland.

So help me God! (*or omitted for an affirmation*).

Oath or affirmation of allegiance and of office—Minister of the State and acting Minister of the State

I, ..(name)..., do sincerely promise and swear (*or, for an affirmation—do sincerely promise and affirm*) that

I will be faithful and bear true Allegiance to Her (*or His*) Majesty..(name of Sovereign).. as lawful Sovereign of Australia and to Her (*or His*) heirs and successors, according to law; and

I will well and truly serve the people of Queensland in the office of (*portfolio title*) (*or, for an acting Minister of the State—acting in the office of (portfolio title)*).

So help me God! (*or omitted for an affirmation*).

Oath or affirmation of office and of secrecy—member of Executive Council

I, ..(name)..., do sincerely promise and swear (*or, for an affirmation—do sincerely promise and affirm*) that

I will, to the best of my judgment and ability, faithfully advise and assist the Governor or other officer performing a function or exercising a power of the Governor as Deputy Governor or Acting Governor, in all matters brought under my consideration as a member of the Executive Council of Queensland; and

I will not disclose the confidential deliberations of the council.

So help me God! (*or omitted for an affirmation*).

I — sincerely commit myself, in the office of Minister of State, to faithfully and diligently serve the people of Queensland to the very best of my ability, and according to the laws of our land.

As a member of Executive Council, I, sincerely pledge conscientiously perform all the functions required of his high office with the utmost diligence and respect for all confidential matters, according to law.

Schedule 1 (continued)

Oath or affirmation of allegiance and of office—Judge

I, ..(name).., do sincerely promise and swear (or, for an affirmation—do sincerely promise and affirm) that

I will be faithful and bear true Allegiance to Her (or His) Majesty..(name of Sovereign).. as lawful Sovereign of Australia and to Her (or His) heirs and successors, according to law; and

As a judge of the Supreme Court of Queensland (or District Court of Queensland) (and/or as (title of other office, for example, Chief Justice of Queensland)), I will at all times and in all things do equal justice to all persons and discharge the duties and responsibilities of the office according to law to the best of my knowledge and ability without fear favour or affection.

So help me God! (or omitted for an affirmation).

To Research Director
L.C.A.R.C

Please accept this
submission, and oblige,

(Mrs) Ruth Mackinnon
and (Mr) Frederick Short

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* Also please see
accompanying letter of explanation.

R Mackinnon

as judge in any Queensland judicial position in which I am empowered to act, to serve all people with the utmost integrity and impartiality — and to carry out my duties conscientiously, according to law.