

## Act No. 17, 1905.

**LANDS COMMISSION  
(WITNESSES).**

**An Act to prescribe the duties and immunities of witnesses examined before the Commissioner under the Lands Commission Act, 1905, and the Lands Commission (Amendment) Act, 1905; to amend those Acts and the Royal Commissioners Evidence Act, 1901; and for purposes consequent thereon or incidental thereto. [28th September, 1905.]**

**B**E it enacted by the King's Most Excellent Majesty, 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.** This Act may be cited as the "Lands Commission (Witnesses) Act, 1905," and shall be construed with the Lands Commission Act, 1905, the Lands Commission (Amendment) Act, 1905, and the Royal Commissioners Evidence Act, 1901.

**2.** A person examined as a witness before the Commissioner shall not be excused from answering any question put to him on the ground of any privilege, or on the ground that the answer thereto may criminate or tend to criminate himself:

Provided that no evidence taken before the Commissioner after the commencement of this Act shall be admissible against any person in any civil or criminal proceeding, except in the case of a witness accused of having made a false statement on oath before the Commissioner, or of a person accused of having procured or caused or attempted or conspired to procure or cause the making of such statement.

**3.** (1) Every person examined as a witness before the Commissioner who, in the opinion of the Commissioner, makes a full and true disclosure touching all matters in respect of which he is examined, may, in the discretion of the Commissioner, be granted a certificate signed by the Commissioner, stating that the witness has, on his examination, made a full and true disclosure as aforesaid.

(2) If any civil or criminal proceeding is at any time thereafter instituted against any such witness in respect of any matter touching which he has been so examined, the court having cognizance of the case shall, on proof of the certificate, stay the proceedings, and may in its discretion award to the witness such costs as he may be put to in or by reason of the proceedings:

Provided

Short title and incorporation of Acts.

Witness not excused from answering on ground of privilege.

Proviso.

Indemnity to witnesses.

*Small Debts Recovery (Amending).*

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Provided that nothing in this section shall be deemed to apply in the case of proceedings for having made a false statement on oath before the Commissioner, or of having procured or caused or attempted or conspired to procure or cause the making of such statement.

**4.** Every person who, in any evidence given before the Commissioner, makes a false statement on oath, knowing the same to be false, shall be guilty of perjury, and shall be punishable accordingly.

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