

EVIDENCE (REPRODUCTIONS) AMENDMENT ACT.

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 2, 1969.

An Act to make further provisions with respect to the admissibility in evidence of reproductions of documents; for this purpose to amend the Evidence (Reproductions) Act, 1967; and for purposes connected therewith. [Assented to, 14th March, 1969.]

BE it enacted by the Queen'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. (1) This Act may be cited as the "Evidence (Reproductions) Amendment Act, 1969".

Short title and citation.

(2)

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(2) The Evidence (Reproductions) Act, 1967, as amended by this Act, may be cited as the Evidence (Reproductions) Act, 1967-1969.

Amendment
of Act No.
44, 1967.

2. The Evidence (Reproductions) Act, 1967, is amended—

Sec. 1.
(Short title
and division
into Parts.)

(a) by omitting from the matter relating to Part II in section one the word "PUBLIC" and by inserting in lieu thereof the word "OFFICIAL";

Sec. 2.
(Interpre-
tation.)

(b) by inserting after the word "declaration" in the definition of "Affidavit" in section two the words "where the making of an affidavit is not authorised by law";

Part II.
(Reproduc-
tion of
official
documents.)

(c) by omitting from the heading to Part II the word "PUBLIC" and by inserting in lieu thereof the word "OFFICIAL";

Sec. 3.
(Certified
reproduc-
tions of
certain
public
documents,
etc., to be
admissible
without
further
proof.)

(d) (i) by inserting next after subsection one of section three the following new subsections :—

(1A) In a notification published for the purposes of paragraph (a) of subsection one of this section, the Minister shall be, and shall be deemed always to have been, authorised to describe an official by designating the office that he holds or in which he acts and where, in such a notification, an official is so described—

(a) a person who held or acted in the designated office before publication of the notification shall be deemed to have been, while he held or acted in the designated office, an approved person;

(b) that official shall cease to be an approved person—

(i) if he ceases to hold the designated office; or

(ii)

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(ii) if the notification is revoked No. 2, 1969
 in so far as it relates to the
 designated office,

whichever first occurs; and

(c) a person who succeeds to or acts in the
 designated office while the notification
 remains unrevoked in so far as it
 relates to that office shall be an
 approved person—

(i) while he holds or acts in
 that office; or
 (ii) until the notification is
 sooner revoked in so far as
 it relates to the designated
 office,

whichever first occurs.

(1B) A person shall not fail or cease to be an approved person by reason only of a misdescription, or an abbreviated description, of a designated office referred to in subsection (1A) of this section by virtue of which he would, but for the misdescription or abbreviated description, be an approved person, where the misdescription or abbreviation does not materially affect identification of that person.

(1C) The Minister may, by notification published in the Gazette, revoke wholly or in part a notification published for the purposes of paragraph (a) of subsection one of this section.

(ii) by inserting next after subsection three of the same section the following new subsection :—

(3A) For the purposes of this section and without prejudice to any other form of custody or control, an approved person shall be deemed to

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to have custody or control of a document at the time a transparency of the document was made if—

- (a) he has custody or control of the transparency; and
- (b) the transparency—
 - (i) incorporates a transparency of a certificate purporting to have been signed by an approved person to the effect that the transparency was made as a permanent record of a document in the custody or under the control of the person who signed the certificate; or
 - (ii) is one of a series of transparencies that incorporates, as part of the series, a transparency of such a certificate relating to the transparencies in the series.