



Australian Capital Territory

# **Evidence (Miscellaneous Provisions) Act 1991 No 34**

**Republication No 4 (RI)**

**Effective: 1 June 2000 – 11 September 2001**

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Last amendment made by A2000-17

(republiation for amendments by A1999-64, A1999-91 and A2000-17)

Authorised by the ACT Parliamentary Counsel

## **About this republication**

### **The republished law**

This is a republication of the *Evidence (Miscellaneous Provisions) Act 1991* effective from 1 June 2000 to 11 September 2001.

### **Kinds of republications**

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### **Editorial changes**

The *Legislation (Republication) Act 1996*, part 3, division 2 authorised the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation (Republication) Act 1996*, s 14 and s 16). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

In preparing this republication, amendments have been made under section 13.



Australian Capital Territory

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### **AUTHORISED REPUBLICATION**

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Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

*Evidence (Miscellaneous Provisions) Act 1991*

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As in force on  
30 June 2000



Australian Capital Territory

# **Evidence (Miscellaneous Provisions) Act 1991**

An Act about evidence

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## **PART 1—PRELIMINARY**

### **1 Name of Act**

This Act is the *Evidence (Miscellaneous Provisions) Act 1991*.

**PART 2—GIVING OF EVIDENCE ABOUT SEXUAL OFFENCES  
BY CHILDREN**

**2 Definitions for pt 2**

In this Part:

***complainant***, in relation to the alleged commission of a sexual offence, means a person—

- (a) upon whom the offender is alleged to have inflicted, assisted in inflicting, attempted to inflict or threatened to inflict grievous or actual bodily harm with intent that the offender or another person engage in sexual intercourse with, or commit an act of indecency upon or in the presence of, the firstmentioned person; or
- (b) whom the offender is alleged to have assaulted or attempted to assault, with intent that the offender or another person engage in sexual intercourse with, or commit an act of indecency upon or in the presence of, the firstmentioned person; or
- (c) with whom the offender is alleged to have engaged in or attempted to engage in sexual intercourse; or
- (d) with whom the offender is alleged to have maintained a sexual relationship; or
- (e) upon whom or in whose presence the offender is alleged to have committed or attempted to commit an act of indecency; or
- (f) whom the offender is alleged to have abducted or detained with intent that the offender or another person engage in sexual intercourse with the firstmentioned person;

as the case requires.

***court*** means—

- (a) the Supreme Court; or
- (b) the Magistrates Court; or
- (c) the Coroner's Court.

***Magistrates Court*** includes the Childrens Court.

***prescribed witness*** means a witness prescribed under subsection 4 (1).

**proceedings** means proceedings in relation to which this Part applies.

**sexual offence** means an offence against section 92A, 92B, 92C, 92D, 92E, 92EA, 92F, 92G, 92H, 92J, 92K, 92L or 92M of the *Crimes Act 1900* or an offence of attempting to commit an offence against any of those sections.

### **3 Sworn or unsworn evidence**

For the purposes of this Part, it is immaterial whether evidence is to be, or is being, given on oath or otherwise.

### **4 Prescribed witnesses**

- (1) For the purposes of this Part, the following witnesses are prescribed:
- (a) a child;
  - (b) in relation to proceedings of a kind referred to in paragraph 5 (1) (a), (b), (e) or (f) in respect of the alleged commission of a sexual offence—the complainant.

### **5 Application**

- (1) This Part applies in relation to—
- (a) proceedings in the Supreme Court—
    - (i) for a trial on indictment in respect of the alleged commission of an offence against a law in force in the Territory; or
    - (ia) for the passing of sentence in respect of the commission of an offence against a law in force in the Territory; or
    - (ii) by way of an appeal from a conviction, order, sentence or other decision of the Magistrates Court in proceedings in relation to which this Part applies; or
  - (b) proceedings in the Magistrates Court on an information in respect of the alleged commission, or commission, of an offence against a law in force in the Territory; or
  - (c) proceedings under Part 10 of the *Magistrates Court Act 1930*; or
  - (d) proceedings under Chapter 7 (Children and young people in need of care and protection), Part 3 (Care and protection orders and emergency action) of the *Children and Young People Act 1999*; or
  - (e) proceedings under the *Domestic Violence Act 1986*; or



- (f) proceedings under the *Victims of Crime (Financial Assistance) Act 1983*; or
- (g) proceedings by way of an inquest or inquiry in the Coroner's Court.

## **6 Location of prescribed witness giving evidence**

### **(1) Where—**

- (a) a prescribed witness is to give evidence in proceedings; and
- (b) the courtroom and a place other than the courtroom are equipped with, and linked by, a closed-circuit television system that is capable of allowing—
  - (i) persons in the courtroom to see and hear the persons at the other place; and
  - (ii) persons at the other place to hear, or to see and hear, persons in the courtroom;

the evidence of the witness shall be given from that other place by means of that system unless the court otherwise orders.

### **(2) A court shall not make an order under subsection (1) unless satisfied that—**

- (a) the prescribed witness prefers to give evidence in the courtroom; or
- (b) the proceedings will be unreasonably delayed if an order is not made; or
- (c) there is a substantial risk of the court being unable to ensure that the proceedings are conducted fairly if an order is not made.

**(3)** Notwithstanding subsection (1), the evidence of a child who is an accused person in proceedings is not to be given in the manner described in that subsection.

**(4)** While a prescribed witness is at a place other than a courtroom for the purpose of giving evidence in accordance with subsection (1), that place shall be taken for all purposes to be part of the courtroom.

## **7 Consequential orders**

**(1)** Where a prescribed witness is to give evidence from a place other than a courtroom in accordance with subsection 6 (1), the court may make

such orders as it considers appropriate in relation to the giving of evidence by the witness.

- (2) An order under subsection (1) may specify—
- (a) the persons who may be present at the other place with the prescribed witness; and
  - (b) the persons in the courtroom who are to be able to be heard, or to be seen and heard, by the witness and by the persons with the witness; and
  - (c) the persons in the courtroom who are not to be able to be heard, or to be seen and heard, by the witness and by the persons with the witness; and
  - (d) the persons in the courtroom who are to be able to see and hear the witness and the persons with the witness; and
  - (e) the stages in the proceedings during which a specified part of the order is to have effect; and
  - (f) the method of operation of the closed-circuit television system.
- (3) Where a prescribed witness is to give evidence from a place other than a courtroom in accordance with subsection 6 (1), the court may make such order as it considers appropriate if satisfied that it is desirable to do so—
- (a) to ensure that the proceedings are conducted fairly; or
  - (b) to allow the witness to identify a person or thing; or
  - (c) to allow the witness to take part in a view or to watch a demonstration or an experiment; or
  - (d) to allow part of the proceedings to be heard elsewhere than in the courtroom.
- (4) Notwithstanding any other law of the Territory, the court may direct that a person be excluded from the other place while the prescribed witness is giving evidence.
- (5) Nothing in subsection (2), (3) or (4) limits the power of the court to make an order under subsection (1).

## **8 Jury warning about adverse inference**

Where, in proceedings referred to in subparagraph 5 (1) (a) (i), a prescribed witness is to give evidence from a place other than the courtroom in accordance with subsection 6 (1), the judge shall warn the

jury to the effect that an inference adverse to the accused should not be drawn from the fact that the witness is giving evidence from that other place.

## **9 Representation of child**

Where—

- (a) a child is to give evidence from a place other than a courtroom in accordance with subsection 6 (1); and
- (b) the child concerned is not separately represented by another person; and
- (c) it appears to the court that the child should be so represented;

the court may order that the child be separately represented by another person, and the court may make such other order as it thinks necessary to secure that separate representation.

## **10 Court's discretions about orders**

(1) An order under this Part may be made of the court's own motion or on application—

- (a) by a party to the proceedings; or
- (b) by or on behalf of a prescribed witness; or
- (c) in relation to a person who is a prescribed witness by reason of being or having been a child—by a parent or guardian of the person.

(2) The court may inform itself as it sees fit for the purposes of making an order under this Part.

## **11 Variation or revocation of order**

A court may make an order for the variation or revocation of an order made by the court in the proceedings.

## **12 Failure to comply with pt 2**

(1) The evidence of a prescribed witness in proceedings is not inadmissible by reason only that the evidence was not given in accordance with this Part.

(2) The validity of proceedings shall not be taken to be affected by a failure to comply with this Part.

**13     Attainment of majority during proceedings**

If a person who was a prescribed witness in proceedings by reason of having been a child attains the age of 18 years before those proceedings are determined, that person continues to be a prescribed witness for the purpose of those proceedings.

## **PART 3—USE OF AUDIOVISUAL LINKS AND AUDIO LINKS**

### ***Division 3.1—Preliminary***

#### **14 Definitions for pt 3**

In this Part:

***audio link*** means a system of 2-way communication linking different places so that a person speaking at any of them can be heard at the other places.

***audiovisual link*** means a system of 2-way communication linking different places so that a person at any of them can be seen and heard at the other places.

***participating State*** means another State where provisions of an Act in terms substantially corresponding to this Part are in force.

***recognised court*** means a court or tribunal of a participating State that is authorised by the provisions of an Act of that State in terms substantially corresponding to this Part to direct that evidence be taken or a submission made by audiovisual link or audio link from the Territory.

***State*** includes Territory.

***Territory court*** means—

- (a) a court constituted under a Territory law; or
- (b) a royal commission under the *Royal Commissions Act 1994*; or
- (c) a judicial commission under the *Judicial Commissions Act 1994*; or
- (d) a tribunal of the Territory; or
- (e) an arbitrator or umpire conducting proceedings under the *Commercial Arbitration Act 1986*.

***tribunal***, in relation to a State, means a person or body authorised under the law of the State to take evidence on oath or affirmation.

#### **15 Application of pt 3**

This Part applies in relation to all proceedings, including—

- (a) proceedings pending at the commencement of this Part; and
- (b) proceedings begun after the commencement of this Part that arise from circumstances, matters or events that arose or happened before that commencement.

## **16 Operation of other Acts**

This Part is not intended to exclude or limit the operation of any Territory law that makes provision for the taking of evidence or making of a submission outside the Territory for a proceeding in the Territory.

### ***Division 3.2—Use of interstate audiovisual links or audio links in proceedings before Territory courts***

## **17 Application of div 3.2**

This Division applies to any proceeding before a Territory court.

## **18 Territory courts may take evidence and submissions from outside the Territory**

- (1) A Territory court may, on the application of a party to a proceeding before the court or on its own initiative, direct that evidence be taken or a submission made by audiovisual link or audio link, from a participating State.
- (2) The court may make the direction only if satisfied that—
  - (a) the necessary facilities are available or can reasonably be made available; and
  - (b) the evidence or submission can more conveniently be given or made from the participating State; and
  - (c) the making of the direction is not unfair to a party opposing the making of the direction.
- (3) The court may exercise in the participating State, in relation to taking evidence or receiving a submission by audiovisual link or audio link, any of its powers that the court is permitted, under the law of the participating State, to exercise in the participating State.
- (4) The court may at any time vary or revoke a direction under this Division, either on the application of a party to the proceeding or on its own initiative.

**19 Legal practitioners entitled to practise**

A person who is entitled to practise as a legal practitioner in a participating State is entitled to practise as a legal practitioner—

- (a) in relation to the examination-in-chief, cross-examination or re-examination of a witness in the participating State whose evidence is being given by audiovisual link or audio link in a proceeding before a Territory court; and
- (b) in relation to the making of a submission by audiovisual link or audio link from the participating State in a proceeding before a Territory court.

***Division 3.3—Use of interstate audiovisual links or audio links in proceedings in participating States***

**20 Application of div 3.3**

This Division applies to any proceeding before a recognised court.

**21 Recognised courts may take evidence or receive submissions from people in the Territory**

A recognised court may, for a proceeding before it, take evidence or receive a submission by audiovisual link or audio link from a person in the Territory.

**22 Powers of recognised courts**

(1) The recognised court may, for the proceeding, exercise in the Territory, in relation to taking evidence or receiving a submission by audiovisual link or audio link, any of its powers except its powers—

- (a) to punish for contempt; and
- (b) to enforce or execute its judgments or process.

(2) The laws of the participating State (including rules of court) that apply to the proceeding in that State also apply, by operation of this subsection, to the practice and procedure of the recognised court in taking evidence or receiving a submission by audiovisual link or audio link from a person in the Territory.

(3) For the exercise by the recognised court of its powers, the place in the Territory where evidence is given or a submission is made is taken to be part of the court.

**23 Orders made by recognised court**

Without limiting section 22, the recognised court may, by order—

- (a) direct that the proceeding, or a part of the proceeding, be conducted in private; or
- (b) require a person to leave a place in the Territory where the giving of evidence or the making of a submission is taking place or is going to take place; or
- (c) prohibit or restrict the publication of evidence given in the proceeding or of the name of a party to, or a witness in, the proceeding.

**24 Enforcement of order**

(1) Subject to rules of court, an order under section 23 may be enforced by the Supreme Court as if the order were an order of that court.

(2) Without limiting subsection (1), a person who contravenes the order—

- (a) is taken to be in contempt of the Supreme Court; and
- (b) is punishable accordingly;

unless the person establishes that the contravention should be excused.

**25 Privileges, protection and immunity of participants in proceedings in courts of participating States**

(1) A judge or other person presiding at or otherwise taking part in a proceeding before a recognised court has, in relation to evidence being taken or a submission being received by audiovisual link or audio link from a person in the Territory, the same privileges, protection and immunity as a judge of the Supreme Court.

(2) A person appearing as a legal practitioner in a proceeding before a recognised court has, in relation to evidence being taken or a submission being received by audiovisual link or audio link from a person in the Territory, the same protection and immunity as a barrister has in appearing for a party in a proceeding before the Supreme Court.

(3) A person appearing as a witness in a proceeding before a recognised court by audiovisual link or audio link from the Territory has the same protection as a witness in a proceeding before the Supreme Court.



**26 Recognised court may administer oath in the Territory**

(1) A recognised court may, for the purpose of obtaining in a proceeding, by audiovisual link or audio link, the testimony of a person in the Territory, administer an oath or affirmation in accordance with the practice and procedure of the recognised court.

(2) Evidence given by a person on oath or affirmation so administered is, for the law of the Territory, testimony given in a judicial proceeding.

**27 Assistance to recognised court**

An officer of a Territory court may, at the request of a recognised court—

- (a) attend at the place in the Territory where evidence is to be or is being taken, or a submission is to be or is being made, in the proceeding; and
- (b) take such action as the recognised court directs to facilitate the proceeding; and
- (c) assist with the administering by the recognised court of an oath or affirmation.

**28 Contempt of recognised courts**

A person must not, while evidence is being given, or a submission is being made, in the Territory by audiovisual link or audio link, in a proceeding in a recognised court—

- (a) assault—
  - (i) a person appearing in the proceeding as a legal practitioner; or
  - (ii) a witness appearing in the proceeding; or
  - (iii) an officer of a Territory court giving assistance under section 27; or
- (b) threaten, intimidate or wilfully insult—
  - (i) a judge or other person presiding at or otherwise taking part in the proceeding; or
  - (ii) a master, registrar, deputy registrar or other officer of the court who is taking part in or assisting in the proceeding; or
  - (iii) a person appearing in the proceeding as a legal practitioner; or
  - (iv) a witness in the proceeding; or

- (v) a juror in the proceeding; or
- (c) wilfully interrupt or obstruct the proceeding; or
- (d) wilfully and without lawful excuse disobey an order or direction of the court.

Maximum penalty: Imprisonment for 3 months.

***Division 3.4—Use of audiovisual links or audio links between Territory courts and places in the Territory***

**29 Application of div 3.4**

This Division applies to any proceeding before a Territory court.

**30 Use of link in proceedings**

(1) Subject to any Act or rules of court, a Territory court may, on the application of a party to a proceeding before it or on its own initiative, direct that a person, whether or not a party to the proceeding, appear before, or give evidence or make a submission to, the court by audiovisual link or audio link from a place in the Territory that is outside the courtroom or other place where the court is sitting.

(2) The court may make the direction only if satisfied that—

- (a) the necessary facilities are available or can reasonably be made available; and
- (b) the evidence or submission can more conveniently be given or made from the place that is outside the courtroom or other place where the court is sitting; and
- (c) the making of the direction is not unfair to any party opposing the making of the direction.

(3) The court may at any time vary or revoke a direction made under this Division, either on the application of a party to the proceeding or its own initiative.

***Division 3.5—Protection of certain communications and documents in criminal proceedings***

**31 Application of div 3.5**

This Division applies to a communication made, and a document transmitted, by audiovisual link or audio link between an accused person and his or her legal representative during the course of a proceeding in

relation to which, or to a part of which, an audiovisual or audio link has been used under this Part or a provision of another Territory law.

### **32 Protection of confidentiality**

Without limiting any other protection that applies to it, a communication or document to which this Division applies is as confidential and inadmissible in any proceeding as it would be if it had been made or produced while the accused person and his or her legal representative were in each other's presence.

### **33 Application of Listening Devices Act**

The *Listening Devices Act 1992* applies to a communication or document to which this Division applies as if—

- (a) for a communication—the communication were a private conversation within the meaning of that Act to which the parties were the accused person and his or her legal representative; and
- (b) for a document—
  - (i) any data, text or visual images in the transmitted document were words spoken to or by a person in a private conversation within the meaning of that Act to which the parties were the accused person and his or her legal representative; and
  - (ii) a reference in that Act to the use of a listening device to overhear, record, monitor or listen to a private conversation included a reference to reading the document.

### ***Division 3.6—Costs and expenses***

### **34 Power to order payment of costs**

A Territory court that directs evidence to be taken, or a submission to be made, by audiovisual link or audio link under section 18 or 30 may make such orders as it considers just for the payment of the costs and expenses incurred in relation to taking the evidence or making the submission, including any amounts prescribed under the regulations.

**PART 4—MISCELLANEOUS**

**35 Regulation-making power**

- (1) The Executive may make regulations for this Act.
  - (2) The regulations may prescribe the amounts, or the way of calculating amounts, payable to a Territory court in relation to the cost of, or incidental to, the provision of an audiovisual link or audio link and ancillary equipment for Part 3.
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*Evidence (Miscellaneous Provisions) Act 1991*

**ENDNOTES**

**1 About this republication**

This is a republication of the *Evidence (Miscellaneous Provisions) Act 1991* effective from 1 June 2000 to 11 September 2001.

Amending laws are annotated in the table of legislation and table of amendments.

**2 About the republished Act**

The *Evidence (Miscellaneous Provisions) Act 1991* was formerly the *Evidence (Closed-Circuit Television) Act 1991*. It was renamed by the *Justice and Community Safety Legislation Amendment Act 2000 (No 3)* (see s 3 sch 1).

**3 Abbreviation key**

Key to abbreviations in tables

am = amended  
amdt = amendment  
ch = chapter  
cl = clause  
def = definition  
dict = dictionary  
div = division  
exp = expires/expired  
Gaz = Gazette  
hdg = heading  
ins = inserted/added  
LR = Legislation (Republication) Act 1996  
mod = modified  
No = number  
notfd = notified  
o = order  
om = omitted/repealed  
orig = original  
p = page

SL = Subordinate Law  
sp = spent  
\* = SL unless otherwise stated  
† = Act or Ordinance unless otherwise stated

par = paragraph  
pres = present  
prev = previous  
(prev...) = previously  
prov = provision  
pt = part  
r = rule/subrule  
reg = regulation/subregulation  
renum = renumbered  
reloc = relocated  
R[X] = Republication No  
s = section/subsection  
sch = schedule  
sdiv = subdivision  
sub = substituted

*Evidence (Miscellaneous Provisions) Act 1991*

**4 Table of legislation**

| Act†  | Year and number† | Gazette notification | Commencement   | Transitional provisions |
|---|------------------|----------------------|--|-------------------------|
| <i>Evidence (Closed-Circuit Television) Act 1991</i>                      | 1991 No 34       | 21 Aug 1991          | 21 Aug 1991  |                         |
| <i>Evidence (Closed-Circuit Television) (Amendment) Act 1992</i>          | 1992 No 80       | 24 Dec 1992          | 24 Dec 1992  | —                       |
| <i>Evidence (Closed-Circuit Television) (Amendment) Act 1994</i>          | 1994 No 24       | 31 May 1994          | 31 May 1994  | s 13                    |
| <i>Evidence (Closed-Circuit Television) (Amendment) Act (No. 2) 1994</i>  | 1994 No 96       | 15 Dec 1994          | 15 Dec 1994  | —                       |
| <i>Evidence (Closed-Circuit Television) (Amendment) Act 1996</i>          | 1996 No 25       | 21 June 1996         | 21 June 1996   | —                       |
| <i>Evidence (Closed-Circuit Television) (Amendment) Act 1998</i>          | 1998 No 45       | 30 Oct 1998          | 30 Oct 1998  | —                       |
| <i>Children and Young People (Consequential Amendments) Act 1999</i>      | 1999 No 64       | 10 Nov 1999          | ss 1 and 2: 10 Nov 1999<br>remainder: 10 May 2000 (see s 2 (2))                        | —                       |
| <i>Victims of Crime (Financial Assistance) (Amendment) Act 1999</i>       | 1999 No 91       | 23 Dec 1999          | ss 1 and 2: 23 Dec 1999<br>remainder (ss 3-18): 24 Dec 1999 (see Gaz 1999 No S69, p 2) | —                       |
| <i>Justice and Community Safety Legislation Amendment Act 2000 (No 3)</i> | 2000 No 17       | 1 June 2000          | 1 June 2000  | —                       |

**5 Table of amendments**

| Provision          | How affected†   |
|--------------------|---|
| title .....        | sub 2000 No 17 s 3 sch 1  |
| Part 1 (s 1) ..... | ins 2000 No 17 s 3 sch 1  |
| s 1 .....          | sub 2000 No 17 s 3 sch 1  |
| hdg to pt 2 .....  | ins 2000 No 17 s 3 sch 1  |
| hdg to s 2 .....   | sub 2000 No 17 s 3 sch 1  |
| s 2 .....          | am 1994 Nos 24 and 96; 2000 No 17 s 3 sch 1   |
| s 3 .....          | am 2000 No 17 s 3 sch 1   |
| s 4 .....          | (prev s 3A) ins 1994 No 96<br>am 1996 No 25; 1998 No 45; 2000 No 17 s 3 sch 1<br>renum 2000 No 17 s 3 sch 1               |
| s 5 .....          | (prev s 4) am 1994 No 24; 1999 No 64 s 4 sch 2; 1999 No 91 s 13 sch 2; 2000 No 17 s 3 sch 1<br>renum 2000 No 17 s 3 sch 1 |

*Evidence (Miscellaneous Provisions) Act 1991*

**5 Table of amendments**—continued

| Provision       | How affected†   |
|-----------------|---|
| s 6             | (prev s 4A) ins 1994 No 24<br>am 1994 No 96<br>renum 2000 No 17 s 3 sch 1                       |
| s 7             | orig om 1994 No 24<br>(prev s 5) am 1994 Nos 24 and 96<br>renum 2000 No 17 s 3 sch 1            |
| s 8             | (prev s 6) sub 1994 No 24<br>am 1994 No 96<br>renum 2000 No 17 s 3 sch 1                        |
| s 9             | (prev s 8) am 1994 No 24<br>renum 2000 No 17 s 3 sch 1  |
| s 10            | (prev s 8A) ins 1994 No 24<br>am 1994 No 96; 2000 No 17 s 3 sch 1<br>renum 2000 No 17 s 3 sch 1 |
| s 11            | (prev s 9) am 1994 No 24<br>renum 2000 No 17 s 3 sch 1  |
| hdg to s 12     | (prev s 10) am 2000 No 17 s 3 sch 1   |
| s 12            | (prev s 10) sub 1994 No 24<br>am 1994 No 96; 2000 No 17 s 3 sch 1<br>renum 2000 No 17 s 3 sch 1 |
| s 13            | (prev s 11) om 1992 No 80<br>ins 1994 No 24<br>sub 1994 No 96<br>renum 2000 No 17 s 3 sch 1     |
| pt 3 (ss 14-34) | ins 2000 No 17 s 3 sch 1  |
| ss 14-34        | ins 2000 No 17 s 3 sch 1  |
| pt 4 (s 35)     | ins 2000 No 17 s 3 sch 1  |
| s 35            | ins 2000 No 17 s 3 sch 1  |

**6 Table of earlier republications**

| Republication No | Amendments to  | Republication date |
|------------------|----------------|--------------------|
| (1)              | Act 1992 No 80 | 31 August 1993     |
| (2)              | Act 1994 No 96 | 31 January 1995    |
| (3)              | Act 1998 No 45 | 31 March 1999      |

*Evidence (Miscellaneous Provisions) Act 1991*

**7 Table of renumbered provisions**

as made by 2000 No 17 and under the *Legislation (Republication) Act 1996*

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| Previous        | Renumbered as |
|-----------------|---------------|
| 3A.....         | 4             |
| 4.....          | 5             |
| 4 (1) (ea)..... | 5 (1) (f)     |
| 4 (1) (f).....  | 5 (1) (g)     |
| 4A.....         | 6             |
| 5.....          | 7             |
| 5 (3).....      | 7 (2)         |
| 5 (3A).....     | 7 (3)         |
| 6.....          | 8             |
| 8.....          | 9             |
| 8 (aa).....     | 9 (a)         |
| 8 (a).....      | 9 (b)         |
| 8 (b).....      | 9 (c)         |
| 8A.....         | 10            |
| 9.....          | 11            |
| 10.....         | 12            |
| 11.....         | 13            |

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