

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 27 February, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 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.

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)

Evidence (Reproductions) Amendment.

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

2. The Evidence (Reproductions) Act, 1967, is
5 amended— Amendment of Act No. 44, 1967.

- (a) by omitting from the matter relating to Part II in Sec. 1.
section one the word "PUBLIC" and by inserting (Short title and division into Parts.)
in lieu thereof the word "OFFICIAL";
- 10 (b) by inserting after the word "declaration" in the Sec. 2.
definition of "Affidavit" in section two the words (Interpretation.)
"where the making of an affidavit is not authorised
by law";
- 15 (c) by omitting from the heading to Part II the word Part II.
"PUBLIC" and by inserting in lieu thereof the word (Reproduction of official documents.)
"OFFICIAL";
- (d) (i) by inserting next after subsection one of Sec. 3.
section three the following new subsections :— (Certified reproductions of certain public documents, etc., to be admissible without further proof.)
- 20 (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,
25 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
30 have been, while he held or acted in
the designated office, an approved
person;
- (b) that official shall cease to be an
approved person—
- 35 (i) if he ceases to hold the
designated office; or
- (ii)

Evidence (Reproductions) Amendment.

(ii) if the notification is revoked
in so far as it relates to the
designated office,

whichever first occurs; and

5 (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—

10 (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
15 office,

whichever first occurs.

(1B) A person shall not fail or cease to be
an approved person by reason only of a mis-
20 description, 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 abbrevi-
ated description, be an approved person, where
25 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
30 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
35 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—

- 5 (a) he has custody or control of the transparency; and
- (b) the transparency—
- 10 (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
- 15 (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
- 20 in the series.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

[5c]

No. , 1969.

A BILL

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.

[MR McCaw—19 February, 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".

(2)

Short title
and
citation.

Evidence (Reproductions) Amendment.

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

2. The Evidence (Reproductions) Act, 1967, is amended— Amendment of Act No. 44, 1967.

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

10 (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"; Sec. 2. (Interpretation.)

15 (c) by omitting from the heading to Part II the word "PUBLIC" and by inserting in lieu thereof the word "OFFICIAL"; Part II. (Reproduction of official documents.)

(d) (i) by inserting next after subsection one of section three the following new subsections :— Sec. 3. (Certified reproductions of certain public documents, etc., to be admissible without further proof.)

20 (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— proof.)

30 (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—

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

(ii)

Evidence (Reproductions) Amendment.

(ii) if the notification is revoked in so far as it relates to the designated office,

whichever first occurs; and

5 (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—

10 (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,

15

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.

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25

(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.

30

(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

35

Evidence (Reproductions) Amendment.

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

- 5 (a) he has custody or control of the transparency; and
- (b) the transparency—
- 10 (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
- 15
- 20 (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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

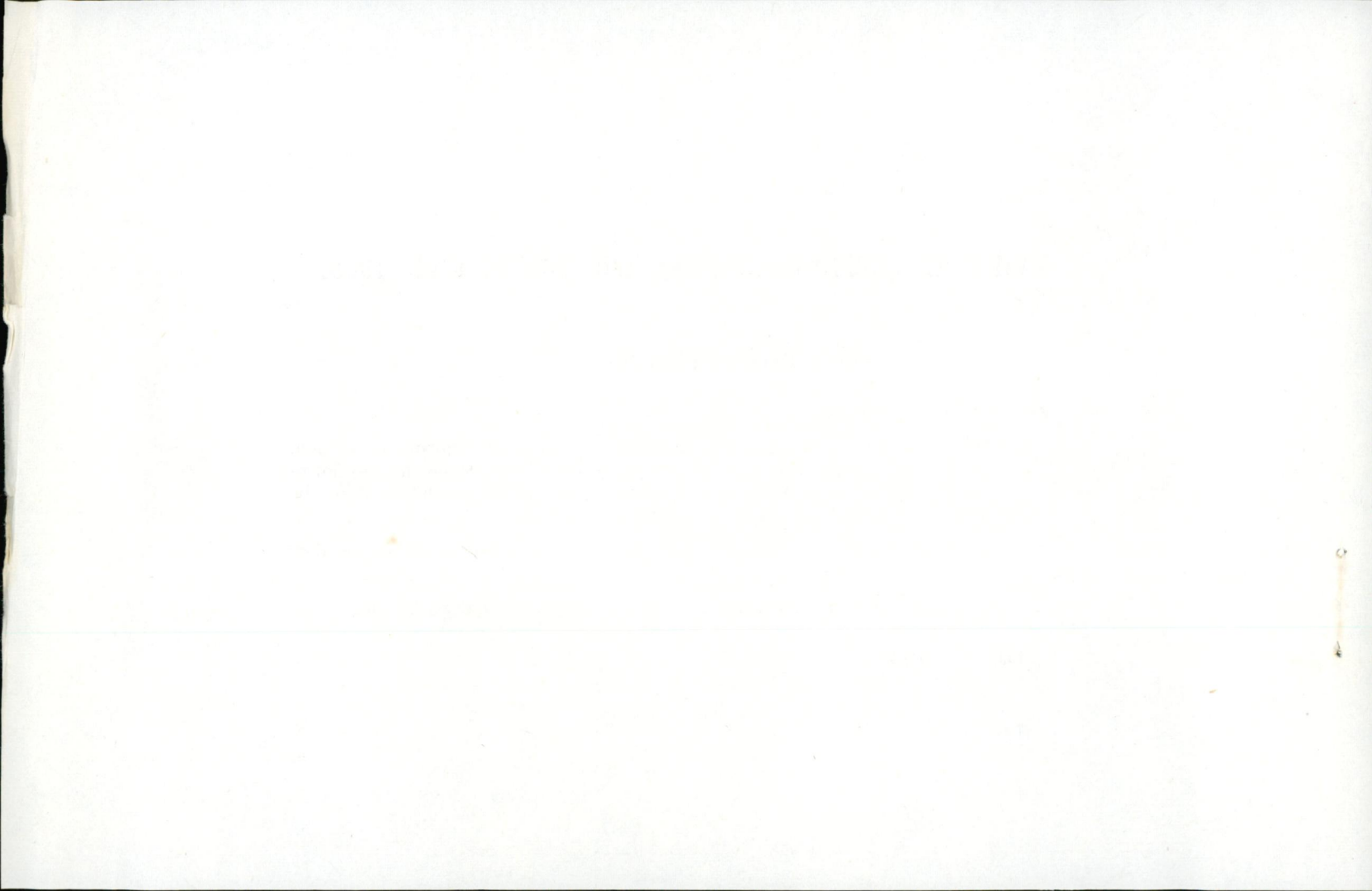
[5c]

EVIDENCE (REPRODUCTIONS) AMENDMENT BILL, 1969.

EXPLANATORY NOTE.

THE objects of this Bill are—

- (a) because of the different requirements of various Departments in relation to their programmes for the microfilming of official documents, to introduce a greater degree of flexibility in the operation of the Act to be amended, in so far as it affects those programmes;
- (b) to clarify certain provisions of the Act to be amended, in so far as they relate to the making of affidavits;
- (c) to make provisions consequential upon or ancillary to the foregoing.



PROOF

No. , 1969.

A BILL

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.

[MR McCaw—19 February, 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 (Repro-
ductions) Amendment Act, 1969".

(2)

Short title
and
citation.

Evidence (Reproductions) Amendment.

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

2. The Evidence (Reproductions) Act, 1967, is amended— Amendment of Act No. 44, 1967.

- (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. 1. (Short title and division into Parts.)
- (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"; Sec. 2. (Interpretation.)
- (c) by omitting from the heading to Part II the word "PUBLIC" and by inserting in lieu thereof the word "OFFICIAL"; Part II. (Reproduction of official documents.)
- (d) (i) by inserting next after subsection one of section three the following new subsections :— Sec. 3. (Certified reproductions of certain public documents, etc., to be admissible without further proof.)
 - (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)

Evidence (Reproductions) Amendment.

(ii) if the notification is revoked
in so far as it relates to the
designated office,

whichever first occurs; and

5 (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—

10 (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
15 office,

whichever first occurs.

(1B) A person shall not fail or cease to be
an approved person by reason only of a mis-
20 description, 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 abbrevi-
ated description, be an approved person, where
the misdescription or abbreviation does not
25 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
30 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
35 to

Evidence (Reproductions) Amendment.

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

- 5 (a) he has custody or control of the transparency; and
- (b) the transparency—
- 10 (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
- 15
- 20 (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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

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)

Evidence (Reproductions) Amendment.

(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)

Evidence (Reproductions) Amendment.

- (ii) if the notification is revoked 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

Evidence (Reproductions) Amendment.

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.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 11 March, 1969.*

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)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Evidence (Reproductions) Amendment.

(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";

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(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)

Evidence (Reproductions) Amendment.

- (ii) if the notification is revoked 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

Evidence (Reproductions) Amendment.

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.

In the name and on behalf of Her Majesty I assent to this Act.

K. W. STREET,
By Deputation from
His Excellency the Governor.

Government House,
Sydney, 14th March, 1969.