



ANALYSIS

Title
1. Short Title

2. Copy of Act of Parliament, Imperial legislation, and regulations printed as prescribed to be evidence
3. Copy of reprint of Act, Imperial legislation, or regulations to be evidence

1998, No. 42

An Act to amend the Evidence Act 1908

[3 June 1998

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Evidence Amendment Act 1998, and is part of the Evidence Act 1908 (“the principal Act”).

2. Copy of Act of Parliament, Imperial legislation, and regulations printed as prescribed to be evidence—Section 29 of the principal Act (as substituted by section 23 of the Acts and Regulations Publication Act 1989) is amended by omitting from subsections (1), (2), and (3) the word “proved”, and substituting in each case the word “shown”.

3. Copy of reprint of Act, Imperial legislation, or regulations to be evidence—The principal Act is amended by repealing section 29A (as so substituted), and substituting the following section:

“29A. (1) This section applies to any copy of a reprint of any legislation, where that copy purports to be printed or published (whether before or after the commencement of this section) under the authority of the New Zealand Government.

“(2) Unless the contrary is shown, every copy of a reprint to which this section applies is to be taken—

“(a) To be a copy of a reprint that correctly states, as at the date at which it is stated to be reprinted, the law enacted or made by the legislation reprinted and by the amendments (if any) to that legislation; and

“(b) To have been printed or published under the authority of the New Zealand Government.

“(3) The presumption contained in subsection (2) may be rebutted by the production of the official volume in which the relevant legislation or any amendment to that legislation, as the case requires, is contained.

“(4) Subsection (3) does not limit any other means of rebutting the presumption contained in subsection (2).

“(5) In this section, unless the context otherwise requires,—

“(a) The terms ‘Imperial enactment’ and ‘Imperial subordinate legislation’ have the meaning given to them by section 2 of the Imperial Laws Application Act 1988:

“(b) The term ‘legislation’ means any Act, Imperial enactment, Imperial subordinate legislation, or regulations:

“(c) The term ‘official volume’ means any volume containing copies of legislation that are deemed, by any provision of section 29, to be correct copies of that legislation.”

This Act is administered in the Ministry of Justice.
