

EVIDENCE ACT 1974

No. 31 of 1974

An Act to amend the *Evidence Act* 1905-1973.

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

Short title and citation.

1. (1) This Act may be cited as the *Evidence Act* 1974.

(2) The *Evidence Act* 1905-1973² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Evidence Act* 1905-1974.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹

Definitions.

3. Section 2 of the Principal Act is amended by inserting before the definition of “Courts” the following definition:—

“ ‘joint sitting of the Parliament’ means a joint sitting of the members of the Senate and of the House of Representatives convened by the Governor-General in pursuance of section 57 of the Constitution;”.

Certain signatures, &c., to be judicially noticed.

4. Section 4 of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(2) All Courts shall take judicial notice of the official signature of any person who is presiding, or has presided, at a joint sitting of the Parliament and of the fact that the person is so presiding or has so presided, if the signature purports to be attached to any official document.”.

Proof of proceedings in Parliament.

5. Section 7 of the Principal Act is amended by inserting after subsection (1) the following sub-section:—

“(1A) A document purporting to be a copy of the official record of, or of any part of, proceedings of a joint sitting of the Parliament or of a paper presented to a joint sitting of the Parliament, if purporting to be printed by the Government Printer, shall on its mere production be admitted as evidence thereof in all Courts.”.

NOTES

1. Act No. 31, 1974; assented to 1 August 1974.
2. Act No. 4, 1905, as amended by No. 43, 1934; No. 80, 1950; No. 48, 1956; No. 28, 1963; No. 53, 1964; No. 80, 1973; and No. 216, 1973 (as amended by No. 20, 1974).