3. EVIDENCE BY CERTIFICATE RULES

The Evidence by Certificate Rules, 1948

1948 No. 2664 (L. 30)

Made - - - - 8*th December*, 1948
Coming into Operation 27*th December*, 1948

In pursuance of the powers conferred upon me by section forty-one of the Criminal Justice Act, 1948(a), I hereby make the following Rules:—

1. The prescribed qualifications for the purpose of subsection (1) of section forty-one of the Criminal Justice Act, 1948 (which relates to the admissibility of certified plans and drawings in criminal proceedings), shall be—

(*a*) registration as an architect under the Architects (Registration) Acts, 1931 to 1938, or

(*b*) membership of any of the following bodies, that is to say, the Royal Institution of Chartered Surveyors, the Institution of Civil Engineers, the Institution of Municipal Engineers and the Land Agents Society.

2. A certificate under subsection (2) of the said section forty-one and a notice under paragraph (*b*) of subsection (5) of that section shall be in the forms numbered 1 and 2 respectively in the Schedule hereto or in a form to the like effect.

3. Any certificate or other document required to be served by subsection (5) of the said section forty-one shall be served in the following manner, that is to say—

(*a*) where the person to be served is a corporation, by addressing it to the corporation and leaving it at, or sending it by registered post to, the registered office of the corporation or, if there be no such office, its principal office or place at which it conducts its business;

(*b*) in any other case, by delivering it personally to the person to be served or by addressing it to him and leaving it at, or sending it by registered post to, his last or usual place of abode or place of business.

4. These Rules may be cited as the Evidence by Certificate Rules, 1948, and shall come into operation on the twenty-seventh day of December, 1948.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.

8th December, 1948.

(a) 11 & 12 Geo. 6. c. 58.

SCHEDULE

1.

Form of certificate by constable of statement as to motor vehicle
(Criminal Justice Act, 1948, section 41 (2).)

I, A.B., hereby certify that on the day of , 19 , at , C.D. of , stated to me that on the day of , 19 , at a.m./p.m. a* , registered number —

(i) was being driven by him/her, and

(ii) (*a*) belonged to him/her, *or*

(*b*) belonged to the firm of of† , and that he/she was at the time of the statement a partner in that firm; *or*

(*c*) belonged to of‡ , and that at the time of the statement he/she was a§ of [employed as§ by] the said .

Dated this day of , 19 .

A.B.

.....(Rank).

.....Station

.....County [Borough] Police Force.

*State description of motor vehicle, *e.g.* motor lorry.

†State principal office or place where the firm conducts its business.

‡State registered office or, if no registered office, principal office or place where the corporation conducts its business.

§State nature of office or employment.

2.

Form of notice by defendant requiring attendance of witness
(Criminal Justice Act, 1948, section 41 (5).)

To A.B. of .

Whereas I, C.D., of , have been served under paragraph (*a*) of subsection (5) of section 41 of the Criminal Justice Act, 1948, with a copy of a plan or drawing authenticated by a certificate [*or* a certificate relating to a statement made by] [*or* a statutory declaration made by]:

I hereby give notice under paragraph (*b*) of the said subsection (5) that I require the attendance at the hearing or trial of the charge against me of the person who signed the said certificate [*or* made the said declaration].

Dated this day of , 19 .

C.D.