STATUTORY INSTRUMENTS

1962 No. 644

EVIDENCE

The Evidence (Montserrat) Order, 1962

Made - - - - 28th March, 1962

At the Court at Buckingham Palace, the 28th day of March, 1962

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty in Council is satisfied upon consideration of a report from the Lord Chancellor and the Secretary of State for the Colonies that, having regard to the law of the Colony of Montserrat as to the recognition therein of public registers of the United Kingdom as authentic records and as to the proof of the contents of such registers and other matters by means of duly authenticated certificates issued by the public officers in the United Kingdom, it is desirable in the interests of reciprocity to make with respect to public registers of the Colony of Montserrat and certificates issued by public officers in or in respect of the said Colony such provision as is hereinafter mentioned:

Now, therefore, Her Majesty, by virtue and in the exercise of the powers conferred on Her by the Evidence (Foreign, Dominion and Colonial Documents) Act, 1933(a), and all other powers in that behalf in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. The registers of the Colony of Montserrat specified in the first column of the Schedule to this Order shall be deemed to be public registers kept under the authority of the law of the Colony and recognised by the courts thereof as authentic records, and to be documents of such a public nature as to be admissible as evidence of the matters regularly recorded therein.

2. For the purposes of the preceding Article all matters recorded in the register shall be deemed, until the contrary is proved, to be regularly recorded.

3. Subject to any requirements of rules of court, a document which purports to be issued in the Colony of Montserrat as an official copy of an entry in a register specified in the first column of the Schedule to this Order and which purports to be authenticated by an officer of the said Colony in the manner specified in that Schedule shall, without evidence as to the custody of the register or of inability to produce it and without any further or other proof, be received as evidence that the register contains such an entry.

4. Nothing in this Order shall be taken to prohibit or restrict the admission in evidence of any copy, extract, summary, certificate or other document whatsoever which, apart from the provisions of this Order, would be admissible as evidence of any particular matter, or to affect any power which, otherwise than by virtue of this Order, is exercisable by any court with respect to the admission of documents in evidence.

(a) 23 & 24 Geo. 5. c. 4.

5.—(1) This Order may be cited as the Evidence (Montserrat) Order, 1962.

(2) This Order extends to all parts of the United Kingdom.

W. G. Agnew.

SCHEDULE

Register	Certifying Officer	Mode of Authentication
Register of Births ...	The Registrar-General.	The seal of the General Registry Office and the signature of the certifying officer.
Register of Marriages...	do.	do.
Register of Deaths ...	do.	do.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order makes entries contained in specified public registers of Montserrat admissible in evidence in the United Kingdom and provides for their proof by official certificates.