EVIDENCE

1959 No. 1306

The Evidence (New Zealand) Order, 1959

Made - - - - *28th July,* 1959

At the Court of Saint James, the 28th day of July, 1959

Present,

Her Majesty Queen Elizabeth The Queen Mother

Her Royal Highness The Princess Alexandra of Kent

Lord President **Mr. Brooke**

Earl of Selkirk **Mr. Aubrey Jones**

Whereas Her Majesty, in pursuance of the Regency Acts, 1937 to 1953, was pleased, by Letters Patent dated the fifteenth day of June, 1959, to delegate to the following Counsellors of State (subject to the exceptions hereinafter mentioned) or any two or more of them, that is to say, His Royal Highness Prince Philip, Duke of Edinburgh, Her Majesty Queen Elizabeth The Queen Mother, Her Royal Highness The Princess Margaret, His Royal Highness The Duke of Gloucester, His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent, full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And Whereas Her Majesty was further pleased to except from the number of the said Counsellors of State His Royal Highness Prince Philip, Duke of Edinburgh, and His Royal Highness The Duke of Kent and Her Royal Highness The Princess Alexandra of Kent while absent from the United Kingdom:

And Whereas Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Alexandra of Kent are satisfied upon consideration of a report from the Lord Chancellor and the Secretary of State that, having regard to the law of New Zealand 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 public officers in the United Kingdom, it is desirable in the interests of reciprocity to make, with respect to public registers and certificates issued by public officers in or in respect of New Zealand, such provision as is hereinafter mentioned:

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and Her Royal Highness The Princess Alexandra of Kent, being authorised thereto by the said Letters Patent and by virtue of the powers conferred by the Evidence (Foreign, Dominion and Colonial Documents) Act, 1933(a), and all other powers in that behalf, do hereby, by and with the advice of Her Majesty's Privy Council, on Her Majesty's behalf order, and it is hereby ordered as follows:—

1. The registers 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

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

of New Zealand 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 any such register as aforesaid 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 New Zealand as an official copy of an entry in any such register as aforesaid and which purports to be authenticated in the manner specified in the Schedule to this Order 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.

5.—(1) This Order may be cited as the Evidence (New Zealand) Order, 1959.

(2) This Order extends to all parts of the United Kingdom and shall come into operation forthwith.

W. G. Agnew.

SCHEDULE

Register	Certifying Officer	Mode of Authentication
Register of Births	Registrar-General or Deputy Registrar-General	Signature or seal of Certifying Officer
Register of Deaths	ditto	ditto
Register of Servicemen's Deaths ...	ditto	ditto
Register of Maori Births	ditto	ditto
Register of Maori Deaths	ditto	ditto
Records of Overseas Births and Deaths	ditto	ditto
Register of Marriages	ditto	ditto
Register of Overseas Marriages ...	ditto	ditto
Register of Service Marriages ...	ditto	ditto

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 New Zealand admissible in evidence in the United Kingdom and provides for their proof by official certificate.