STATUTORY INSTRUMENTS

1965 No. 1865

EVIDENCE

The Evidence (Swaziland) Order 1965

Made - - - - 29th October 1965

At the Court at Buckingham Palace, the 29th day of October 1965

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty in Council is satisfied that there exist in Swaziland public registers kept under the law of Swaziland and recognised by the courts thereof as authentic records, and that those registers are regularly and properly kept:

Now, therefore, Her Majesty, by virtue and in the exercise of the powers conferred on Her by section 5(1) of the Oaths and Evidence (Overseas Authorities and Countries) Act 1963(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 Swaziland 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 Swaziland 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 Swaziland 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 Swaziland 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.

5.—(1) This Order may be cited as the Evidence (Swaziland) Order 1965.

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

W. G. Agnew.

(a) 1963 c. 27.

Articles 1 & 3 SCHEDULE

Register	Certifying Officers	Mode of Authentication
Births Register ...	The Registrar of Births, Marriages and Deaths, or the Assistant Registrar of Births, Marriages and Deaths	the signature of the certifying officer.
Marriage Register ...	do.	do.
Deaths Register ...	do.	do.

EXPLANATORY NOTE

(This Note is not part of the Order.)

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