

CHAPTER 66

EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS)

EVIDENCE (PROCEEDINGS IN OTHER JURISDICTIONS) (APPLICATION TO INTERNATIONAL PROCEEDINGS) ORDER

S.I. 58/2005

(SECTION 7)

[Commencement 5th July, 2005]

1. This Order may be cited as the Evidence (Proceedings in Other Jurisdictions) (Application to International Proceedings) Order.

Citation.

2. The provisions of section 4 to 6 of the Evidence (Proceedings in Other Jurisdictions) Act shall apply to “international proceedings” with the necessary modifications as are specified in the Schedule hereto.

Application of section 4 to 6 of Act.

SCHEDULE

Section	Modifications
4	Delete paragraphs (a) and (b) and substitute the following – “(a) that the application is made in pursuance of a request issued by or on behalf of the International Court of Justice, (or any other court) tribunal, commission, body or authority whether consisting of one or more persons in this section (referred to as the "requesting authority") which, in pursuance of any international agreement or any resolution of the General Assembly of the United Nations, exercises any jurisdiction or performs any functions of a judicial nature or by way of arbitration, conciliation, or inquiry or is appointed (whether permanently or temporarily) for the purpose of exercising any jurisdiction or performing any such

	<p>functions; and</p> <p>(b) that the evidence to which the application relates is to be obtained for the purposes of civil or criminal proceedings which either have been instituted before the requesting authority or whose institution before that requesting authority is contemplated and for which investigations have commenced.”</p>
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