



ANNO NONO

GEORGI VI REGIS.

A.D. 1945.

No. 29 of 1945.

An Act to amend the Evidence Act, 1929-1941.

[Assented to 3rd January, 1946.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Evidence Act Amendment Act, 1945". Short titles.

(2) The Evidence Act, 1929-1941, as amended by this Act, may be cited as the "Evidence Act, 1929-1945".

(3) The Evidence Act, 1929-1941, is hereinafter called "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. The following sections are enacted and inserted in the principal Act after section 34 thereof:— Enactment of ss. 34a and 34b of principal Act—

34a. Where a person has been convicted of an offence, and the commission of that offence is in issue or relevant to any issue in a civil proceeding, the conviction shall be evidence of the commission of that offence admissible against the person convicted or those who claim through or under him but not otherwise: Provided that a conviction other than upon information in the Supreme Court shall not be admissible unless it appears to the court that the admission is in the interests of justice. Proof of commission of offence.

34b. Where in any proceedings in the Supreme Court in its matrimonial causes jurisdiction a person has been found guilty of adultery, the decree or order of the court reciting or based upon that finding shall be admissible in Proof of adultery.

1945. Evidence Act Amendment Act, 1945 No. 29.

any subsequent proceedings in the Supreme Court in its matrimonial causes jurisdiction as evidence of the adultery as against that person, notwithstanding that the parties to the proceedings in which the finding is tendered are not the same as in the proceedings in which the decree or order was made.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

C. W. M. NORRIE, Governor.