



ANNO SEXTO

ELIZABETHAE II REGINAE

A.D. 1957.

No. 36 of 1957.

An Act to amend the Evidence Act, 1929-1955.

[Assented to 14th November, 1957.]

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

Short titles.

1. (1) This Act may be cited as the "Evidence Act Amendment Act, 1957".

(2) The Evidence Act, 1929-1955, as amended by this Act, may be cited as the "Evidence Act, 1929-1957".

(3) The Evidence Act, 1929-1955, is hereinafter referred to as "the principal Act".

Incorporation.

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

Amendment of principal Act, s. 37—

3. Section 37 of the principal Act is repealed and the following section is enacted and inserted in the principal Act in lieu thereof :—

Proof of orders-in-Council, etc.

37. (1) In this section "order-in-Council" means proclamation, commission, order, by-law, rule, or regulation issued or made by the Government or by or under the authority of a Minister.

(2) Evidence of the making and contents of an order-in-Council may be given by production of—

(a) a document purporting to be a copy of the *Gazette* containing the order-in-Council ; or

(b) a document purporting to be a copy of the order-in-Council and purporting to be printed by the Government Printer or by the authority of the Government of the State ; or

(c) a document purporting to be certified by the Secretary to the Attorney-General as a true copy of the order-in-Council.

(3) The date printed on a copy of the *Gazette* and apparently intended to indicate the date of the publication of the *Gazette* shall be evidence that any order-in-Council contained in such *Gazette* was published on that date.

(4) A statement in any such document as mentioned in paragraph (b) or (c) of subsection (2) of this section as to the date of publication of the order-in-Council set out therein shall be evidence that such order-in-Council was published on that date.

(5) This section shall also apply in relation to any act, matter or thing which is directed by any Act of Parliament to be notified or published in the *Gazette*, in the same way as it applies to orders-in-Council.

4. The following sections are enacted and inserted in the principal Act after section 37 :—

Enactment of
new sections.
Proof of
Gazette and
printing
thereof—

37a. The mere production of a paper purporting to be the *Gazette* shall in all courts be evidence that the paper is the *Gazette* and was published on the day on which it bears date.

Proof of
Gazette.

37b. The mere production of a paper purporting to be printed by the Government Printer or by the authority of the Government of the State shall in all courts be evidence that the paper was printed by the Government Printer or by such authority.

Proof of
printing by
Government
Printer.

5. The following section is enacted and inserted in the principal Act after section 62 :—

Enactment of
s. 62a of
principal Act—

62a. (1) In any complaint or information an allegation that any place is within a municipality, district council district, town or township, shall be *prima facie* evidence of the fact so alleged.

Proof of
place being
within
municipality,
etc.

(2) In this section the word "place" shall include any place, public or private, however described in the complaint or information, including any street road or other thoroughfare, or part thereof, and any building or structure or part thereof.

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

R. A. GEORGE, Governor.