



ELIZABETHAE SECUNDAE REGINAE

No. 53 of 1967

**An Act to Amend the “Evidence and Discovery Act of 1867”
in a certain particular**

[ASSENTED TO 22ND DECEMBER, 1967]

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. (1) **Short title.** This Act may be cited as “*The Evidence and Discovery Acts Amendment Act of 1967.*”

(2) **Principal Act.** The “*Evidence and Discovery Act of 1867,*” as heretofore amended, is in this Act referred to as the Principal Act.

(3) **Collective title.** “*The Evidence and Discovery Acts, 1867 to 1962,*” and this Act may be collectively cited as “*The Evidence and Discovery Acts, 1867 to 1967.*”

2. New s. 62A. The Principal Act is amended by inserting after section sixty-two the following section:—

“ [62A.] **Power of person appointed by foreign country to take evidence and administer oaths.** (1) Subject to the succeeding provisions of this section, where an authority desires to take or receive evidence in Queensland, that authority may appoint a person to take or receive evidence in Queensland and a person so appointed has power to take or receive evidence in Queensland for that authority and for that purpose to administer an oath.

(2) Where the authority is not a court or judge, a person so appointed has no power to take or receive evidence, or to administer an oath, in Queensland unless he has first obtained the consent of the Attorney-General.

(3) This section does not authorize the taking or receiving of evidence by a person so appointed in or for use in criminal proceedings.

(4) In this section “ authority ” means any court, judge, or person who, or body which, is authorized under the law of a foreign country to take or receive evidence on oath in that country.”