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STATUTORY INSTRUMENTS

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**1970 No. 819**

**EVIDENCE**

**The Evidence (Federal Republic of Germany) Order 1970**

*Made* - - - - *29th May 1970*

At the Court at Buckingham Palace, the 29th day of May 1970

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty in Council is satisfied that there exist in the Federal Republic of Germany and Land Berlin (West Berlin) public registers kept under the authority of the laws of the Federal Republic of Germany and Land Berlin (West Berlin) 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 exercise of the powers conferred on Her by section 5(1) of the Oaths and Evidence (Overseas Authorities and Countries) Act 1963 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. This Order may be cited as the Evidence (Federal Republic of Germany) Order 1970.
2. This Order extends to all parts of the United Kingdom.
3. The registers of the Federal Republic of Germany and Land Berlin (West Berlin) specified in the first column of the Schedule to this Order shall be deemed to be public registers kept under the authority of the laws of the Federal Republic of Germany and Land Berlin (West Berlin) 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.
4. For the purposes of the preceding Article all matters recorded in the registers shall be deemed, until the contrary is proved, to be regularly recorded therein.
5. Subject to any requirements of rules of court, a document which purports to be issued in the Federal Republic of Germany or Land Berlin (West Berlin) 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 as such 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.
6. 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,

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otherwise than by virtue of this Order, is exercisable by any court with respect to the admission of documents in evidence.

*W.G. Agnew*

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## SCHEDULE

<i>Register</i>	<i>Certifying Officer</i>	<i>Mode of Authentication</i>
Register of Births	The Registrar (Der Standesbeamte).	The signature and seal or stamp of the certifying officer.
Register of Marriages	The Registrar (Der Standesbeamte).	The signature and seal or stamp of the certifying officer.
Register of Deaths	The Registrar (Der Standesbeamte).	The signature and seal or stamp of the certifying officer.

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## EXPLANATORY NOTE

This Order makes entries contained in specified public registers of the Federal Republic of Germany and Land Berlin (West Berlin) admissible in evidence in the United Kingdom and provides for their proof by official certificates.