

**CRIMINAL JUSTICE (EVIDENCE)  
(NORTHERN IRELAND) ORDER 2004**

**S.I. 2004 No. 1501 (N.I. 10)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON ARTICLES**

*Business and other documents*

41. **Article 21** provides for the admissibility of statements in documentary records provided certain conditions are met. These conditions are:
- That the document was created or received by a person in the course of a trade, business, profession or as the holder of a paid or unpaid office; and
  - That the person who *supplied* the information in the statement had or may reasonably be supposed to have had personal knowledge of the matters dealt with in the statement
  - That the evidence is oral evidence; and
  - That each person through whom the information was supplied received the information in the course of a trade, business, profession or as the holder of a paid / unpaid office.
42. In the case of documents prepared for the purpose of criminal investigations or proceedings the statement will only be admissible if the *supplier* of the information is unavailable or cannot reasonably be expected to recall any of the matters dealt with in the statement.