



Civil Evidence Act 1968

1968 CHAPTER 64

PART I

HEARSAY EVIDENCE

10 Interpretation of Part I, and application to arbitrations, etc.

(1) In this Part of this Act—

“computer ” has the meaning assigned by section 5 of this Act;

“document ” includes, in addition to a document in writing—

- (a) any map, plan, graph or drawing;
- (b) any photograph;
- (c) any disc, tape, sound track or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom; and
- (d) any film, negative, tape or other device in which one or more visual images are embodied so as to be capable (as aforesaid) of being reproduced therefrom;

“film ” includes a microfilm;

“statement ” includes any representation of fact, whether made in words or otherwise.

(2) In this Part of this Act any reference to a copy of a document includes—

- (a) in the case of a document falling within paragraph (c) but not (d) of the definition of “document ” in the foregoing subsection, a transcript of the sounds or other data embodied therein;
- (b) in the case of a document falling within paragraph (d) but not (c) of that definition, a reproduction or still reproduction of the image or images embodied therein, whether enlarged or not;
- (c) in the case of a document falling within both those paragraphs, such a transcript together with such a still reproduction; and

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- (d) in the case of a document not falling within the said paragraph (d) of which a visual image is embodied in a document falling within that paragraph, a reproduction of that image, whether enlarged or not, and any reference to a copy of the material part of a document shall be construed accordingly.
- (3) For the purposes of the application of this Part of this Act in relation to any such civil proceedings as are mentioned in section 18(1)(a) and (b) of this Act [^{F1}other than civil proceedings on a reference to arbitration under section 64 of the County Courts Act 1984], any rules of court made for the purposes of this Act under [^{F2}section 84 of the Supreme Court Act 1981] shall (except in so far as their operation is excluded by agreement) apply, subject to such modifications as may be appropriate, in like manner as they apply in relation to civil proceedings in the High Court:
- [^{F3}(3A) For the purposes of the application of this Part of this Act in relation to proceedings on an arbitration under section 64 of the County Courts Act 1984 any rules made for the purposes of this Act under section 75 of that Act shall (except in so far as their operation is excluded by agreement) apply, subject to such modifications as may be appropriate, in like manner as they apply in relation to proceedings in the county court.]
- (4) If any question arises as to what are, for the purposes of any such civil proceedings as are mentioned in section 18(1)(a) or (b) of this Act, the appropriate modifications of any such rule of court as is mentioned in subsection (3) above, that question shall, in default of agreement, be determined by the tribunal or the arbitrator or umpire, as the case may be.

Textual Amendments

- F1** Words inserted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1)(2), Sch. 2 Pt. V para. 34(a), **Sch. 3 para. 9**
- F2** Words substituted by virtue of [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), s. 17(2)(a)
- F3** Words substituted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), s. 148(1)(2), **Sch. 2 Pt. V para. 34(b)**, Sch. 3 para. 9

Modifications etc. (not altering text)

- C1** S. 10 definition of "documents" applied by [Commercial and Private Bank Act 1991 \(c. xxii\)](#), s. 9(2)
- C2** S. 10(2) applied by [Finance Act 1985 \(c. 54, SIF 40:1\)](#), s. 10(1) and [Finance Act 1988 \(c. 39, SIF 63\)](#), s. 127(1)
S. 10(2) applied (1.9.1994) by 1994 c. 22, s. 52(4)(a)(5) (with s. 57(4))
- C3** S. 10(3)(4) extended by [Civil Evidence Act 1972 \(c. 30\)](#), s. 5(2)

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Changes to legislation:

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