
STATUTORY INSTRUMENTS

1993 No. 621

EVIDENCE

The Children (Admissibility of Hearsay Evidence) Order 1993

Made - - - - *3rd March 1993*
Laid before Parliament *12th March 1993*
Coming into force - - *5th April 1993*

The Lord Chancellor, in exercise of the powers conferred on him by section 96(3) of the Children Act 1989(1), hereby makes the following order:—

Citation and Commencement

1. This order may be cited as the Children (Admissibility of Hearsay Evidence) Order 1993 and shall come into force on 5th April 1993.

Admissibility of hearsay evidence

2. In—

- (a) civil proceedings before the High Court or a county court; and
- (b) (i) family proceedings, and
(ii) civil proceedings under the Child Support Act 1991(2) in a magistrates' court, evidence given in connection with the upbringing, maintenance or welfare of a child shall be admissible notwithstanding any rule of law relating to hearsay.

Revocation

3. The Children (Admissibility of Hearsay Evidence) Order 1991(3) is hereby revoked.

Dated 3rd March

Mackay of Clashfern, C

(1) 1989 c. 41.
(2) 1991 c. 48.
(3) S.I. 1991/1115.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order (“the 1993 Order”) extends the types of court proceedings in which evidence may be given in connection with the upbringing, maintenance or welfare of a child notwithstanding that the evidence in question would otherwise be inadmissible because of the ‘hearsay rule’ in the law of evidence.

The 1993 Order supersedes and revokes an earlier order (“the 1991 Order”). The only difference between them in effect is that the 1993 Order extends to civil proceedings under the Child Support Act 1991 in magistrates’ courts. The 1993 Order reproduces what the 1991 Order provided in relation to the High Court and county courts, because that provision is sufficiently general to embrace Child Support Act proceedings in those courts.