



# Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968

## 1968 CHAPTER 28

### 2 Proof by formal admission.

- (1) Subject to the provisions of this section, any fact of which oral evidence may be given in any criminal proceedings may be admitted for the purpose of those proceedings by or on behalf of the prosecutor or defendant, and the admission by any party of any such fact under this section shall, as against that party, be conclusive evidence in those proceedings of the fact admitted.
- (2) An admission under this section may be made before or at the proceedings and, if made otherwise than in court, shall be in writing signed by the person making it, if that person is an individual, or by a director or manager or the secretary or clerk, or some other similar officer, if the admission is made by a body corporate.
- (3) An admission under this section for the purpose of proceedings relating to any matter shall be treated as an admission for the purpose of any subsequent criminal proceedings relating to that matter (including any appeal or retrial).
- (4) Notwithstanding that any fact may have been admitted for the purposes of any criminal proceedings, oral evidence of that fact may be given by either party to the proceedings.
- (5) An admission under this section may be withdrawn not later than one clear day before the trial in the proceedings for the purpose of which it was made, and no such admission may be withdrawn at any later time unless the court shall otherwise allow by reason of circumstances which could not reasonably have been foreseen; and, if such an admission is withdrawn, the prosecutor may, with the leave of the court, comment on the withdrawal.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968, Section 2.