



# Civil Evidence Act (Northern Ireland) 1971

## 1971 CHAPTER 36

### PART II

#### MISCELLANEOUS AND GENERAL

##### PRIVILEGE

#### **12 Abolition of certain privileges.**

- (1) The following rules of law are hereby abrogated except in relation to criminal proceedings, that is to say—
  - (a) the rule whereby, in any legal proceedings, a person cannot be compelled to answer any question or produce any document or thing if to do so would tend to expose him to a forfeiture; and
  - (b) the rule whereby, in any legal proceedings, a person other than a party to the proceedings cannot be compelled to produce any deed or other document relating to his title to any land.
- (2) The rule of law whereby, in any civil proceedings, a party to the proceedings cannot be compelled to produce any document or thing relating solely to his own case and in no way tending to impeach that case or support the case of any opposing party is hereby abrogated.
- (3) Section 3 of the Evidence (Amendment) Act 1853 (which provides that a husband or wife shall not be compellable to disclose any communication made to him or her by his or her spouse during the marriage) shall cease to have effect except in relation to criminal proceedings.

*Subs. (4) rep. by 1989 NI 12*

- (5) A witness in any proceedings instituted in consequence of adultery, whether a party to the proceedings or not, shall not be excused from answering any question by reason

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**Changes to legislation:** There are currently no known outstanding effects for the Civil Evidence Act (Northern Ireland) 1971, Section 12. (See end of Document for details)

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that it tends to show that he or she has been guilty of adultery; and accordingly ...  
*residue repeals proviso to s.3 of 1869 c.68; s.25(1)(pt.) of 1939 c.13 (NI)*

**Changes to legislation:**

There are currently no known outstanding effects for the Civil Evidence Act (Northern Ireland) 1971, Section 12.