



Documentary Evidence Act 1868

1868 CHAPTER 37 31 and 32 Vict

2 Mode of proving certain documents.

Prima facie evidence of any proclamation, order, or regulation issued before or after the passing of this Act by Her Majesty, or by the Privy Council, also of any proclamation, order, or regulation issued before or after the passing of this Act by or under the authority of any such department of the Government or officer [^{F1}or office-holder in the Scottish Administration] as is mentioned in the first column of the schedule hereto, may be given in all courts of justice, and in all legal proceedings whatsoever, in all or any of the modes herein-after mentioned; that is to say:

- (1) By the production of a copy of the Gazette purporting to contain such proclamation, order, or regulation.
- (2) By the production of a copy of such proclamation, order, or regulation, purporting to be printed by the Government printer, or, where the question arises in a court in any British colony or possession, of a copy purporting to be printed under the authority of the legislature of such British colony or possession.
- (3) By the production, in the case of any proclamation, order or regulation issued by Her Majesty or by the Privy Council, of a copy or extract purporting to be certified to be true by the clerk of the Privy Council, or by any one of the lords or others of the Privy Council, and, in the case of any proclamation, order, or regulation issued by or under the authority of any of the said departments or officers [^{F1}or office-holders], by the production of a copy or extract purporting to be certified to be true by the person or persons specified in the second column of the said schedule in connexion with such department or officer [^{F1}or office-holder].

Any copy or extract made in pursuance of this Act may be in print or in writing, or partly in print and partly in writing.

No proof shall be required of the handwriting or official position of any person certifying, in pursuance of this Act, to the truth of any copy of or extract from any proclamation, order, or regulation.

Changes to legislation: There are currently no known outstanding effects for the Documentary Evidence Act 1868, Section 2. (See end of Document for details)

.....

Textual Amendments

F1 Words in s. 2 inserted (6.5.1999) by S.I. 1999/1042, art. 3, **Sch. 1 Pt. I para. 1**

.....

Modifications etc. (not altering text)

C1 S. 2 applied (27.2.1997) by 1997 c. 7, s. 1(2) (with s. 11(2))

C2 S. 2 applied (with modifications) (7.4.2005 at 5:45pm) by Commissioners for Revenue and Customs Act 2005 (c. 11), ss. 24(5)(6), 53(1); S.I. 2005/1126, art. 2(1)

Changes to legislation:

There are currently no known outstanding effects for the Documentary Evidence Act 1868, Section 2.