ANALYSIS

Title
1. Short Title and commencement
2. Admissibility of previous description by identification witness

1982, No. 48

An Act to amend the Evidence Act 1908 relating to evidence of identification [*13 November 1982*

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title and commencement—(1) This Act may be cited as the Evidence Amendment Act 1982, and shall be read together with and deemed part of the Evidence Act 1908 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 28th day after the date on which it receives the Governor-General's assent.

2. Admissibility of previous description by identification witness—The principal Act is hereby amended by inserting, before section 23, the following section:

"22A. Notwithstanding the rule against the admissibility of previous consistent statements, where a witness for the prosecution gives evidence identifying the accused as a person whom he saw in the circumstances of the offence, any description of the offender given to the Police or the prosecutor by the witness before the witness's first identification of the accused shall be admissible as evidence tending to show that the witness's identification of the accused is consistent with his previous description of the offender."

This Act is administered in the Department of Justice.