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*This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.*

*Legislative Council,  
28th August, 1907.*

*Hon. Dr. Findlay.*

## FOREIGN TRIBUNALS EVIDENCE.

Title.	ANALYSIS.
1. Short Title.	4. How affidavit or declaration to be intituled.
2. Interpretation.	5. Certificate of consul or vice-consul.
3. Solicitor may take affidavit or declaration for purposes of this Act.	6. False affidavit or declaration.

### A BILL INTITULED

AN ACT to provide for the taking of Evidence in relation to Title.  
Matters pending before Foreign Tribunals.

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

1. This Act may be cited as the Foreign Tribunals Evidence Short Title.  
Act, 1907.

2. In this Act— Interpretation.  
10 “Foreign tribunal” means a Court of justice in any place outside of His Majesty’s dominions:  
“Affidavit” means any written statement made on oath before a solicitor of the Supreme Court of New Zealand:  
15 “Declaration” means any written statement declared by the maker thereof to be true in the presence of a solicitor of the Supreme Court of New Zealand.

3. It shall be lawful for any solicitor of the Supreme Court of Solicitor may take affidavit or declaration for purposes of this Act.  
New Zealand to take the affidavit or declaration of any person in relation to any matter, whether civil or criminal, which is certified  
20 in accordance with this Act to be pending before any foreign tribunal.

4. Every such affidavit or declaration shall be intituled in the How affidavit or declaration to be intituled.  
matter of the Foreign Tribunals Evidence Act, 1907, and every such declaration shall be expressed to be made in pursuance of the provisions of the said Act.

5. (1.) No such affidavit or declaration shall be taken unless the Certificate of consul or vice-consul.  
25 solicitor taking it has received a written certificate from a consul or vice-consul of the State to which such foreign tribunal belongs that he believes the said affidavit or declaration to be required for the purpose of a matter pending in the said tribunal.

(2.) The jurat or attestation of the said affidavit or declaration shall state the name and official designation of the consul or vice-consul on whose certificate the said affidavit or declaration has been taken.

False affidavit or  
declaration.

6. (1.) Every such affidavit or declaration shall be deemed to 5  
have been made in a judicial proceeding within the meaning of  
section one hundred and thirteen of the Criminal Code Act, 1893,  
and any person who falsely makes any such affidavit or declaration  
shall be guilty of perjury accordingly.

(2.) In any prosecution for perjury in respect of any such 10  
affidavit or declaration it shall not be necessary to prove that any  
judicial or other proceeding was actually pending in any foreign  
tribunal, or that any such certificate as is mentioned in section *five*  
hereof was actually given, nor shall any evidence to the contrary be  
admissible. 15