



ANNO QUARTO

## ELIZABETHAE II REGINAE

A.D. 1955

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### No. 26 of 1955

An Act to amend the Evidence Act, 1929-1949.

[Assented to 1st December, 1955.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Evidence Act Amendment Act, 1955". Short titles.

(2) The Evidence Act, 1929-1949, as amended by this Act, may be cited as the "Evidence Act, 1929-1955".

(3) The Evidence Act, 1929-1949, is hereinafter referred to as "the principal Act".

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.

3. Section 13 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 13 being read as subsection (1) thereof):— Amendment of s. 13 of principal Act— Effect of unsworn evidence of child.

(2) Where the evidence of a child admitted by virtue of section 12 of this Act is given on behalf of the prosecution, and the accused denies the offence on oath, the accused shall not be convicted of the offence unless the evidence of the child is corroborated in some material particular by evidence implicating him.

Repeal of s.  
17 of principal  
Act—

Parties and  
their husbands  
and wives com-  
petent witnesses  
in suits of  
adultery.

Amendment of  
principal Act,  
s. 66—

Taking of  
affidavits out  
of the State.

4. Section 17 of the principal Act is repealed.

5. Section 66 of the principal Act is amended—

(a) by striking out the words “ or Australian ” in paragraph (b) of subsection (1) thereof ;

(b) by inserting after paragraph (b) of subsection (1) thereof the following paragraph :—

(b1) any person appointed to hold or act in any of the following offices of the Commonwealth in that place :—

(i) ambassador :

(ii) high commissioner :

(iii) minister :

(iv) head of mission :

(v) commissioner :

(vi) charge d'affaires :

(vii) counsellor or secretary at an embassy,  
high commissioner's office, lega-  
tion or other post :

(viii) consul-general :

(ix) consul :

(x) vice-consul :

(xi) trade commissioner :

(xii) consular agent ; or

(c) by inserting after the word “ agent ” in the second line of paragraph (a) of subsection (2) thereof the words “ or of any person appointed as afore-said ” ;

(d) by striking out the expression “ and (b) ” in the fourth line of subsection (3) thereof, and inserting in its place the expression “ (b) and (b1) ”.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

R. A. GEORGE, Governor.