



Statutory Rules 1998 No. 1

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insertion of signatures and date of making, and send
to: Legislative Services Section,
Office of Legislative Drafting, Attorney-General's
Department.

Evidence Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, make the
following Regulations under the *Evidence Act 1995*.

Dated 1 1998.

18 February

WILLIAM DEANE
Governor-General

By His Excellency's Command,

1
Attorney-General

DARYL WILLIAMS

1. Amendment

1.1 The Evidence Regulations are amended as set out in these
Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation
Act 1901*, s 48.]

2. Regulation 3 (Interpretation)**2.1 Subregulation 3 (1):**

Insert the following definition:

“‘address’ includes a private, business or official address;”.

3. Regulation 5 (Exceptions to hearsay rule—notices of previous representations)**3.1 Subparagraph 5 (2) (c) (ii):**

Omit “and addresses”.

3.2 Subparagraph 5 (2) (c) (ii):

After the subparagraph, insert:

“; and (iii) in a civil proceeding—the address of each person so named;”.

3.3 Add at the end of the regulation:

“(7) On the application of a party in a criminal proceeding, the court may make an order directing the notifying party to disclose the address of any person named in a notice of previous representation.

“(8) The direction may be given on the terms the court considers appropriate.”.

4. Regulation 6 (The tendency rule and the coincidence rule—form of notices)**4.1 Subparagraph 6 (2) (b) (ii):**

Omit “and addresses”.

4.2 Subparagraph 6 (2) (b) (ii):

After the subparagraph, insert:

“; and (iii) in a civil proceeding—the address of each person so named;”.

4.3 Subparagraph 6 (3) (b) (i):

Omit “conduct”.

4.4 Subparagraph 6 (3) (b) (ii):

Omit “and addresses”.

4.5 Subparagraph 6 (3) (b) (ii):

After the subparagraph, insert:

“; and (iii) in a civil proceeding—the address of each person so named;”.

4.6 Add at the end of the regulation:

“(4) On the application of a party in a criminal proceeding, the court may make an order directing the notifying party to disclose the address of any person named in a notice mentioned in this regulation.

“(5) The direction may be given on the terms the court considers appropriate.”.

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on
2. Statutory Rules 1995 No. 44 as amended by 1996 No. 202.

25 February 1998