



Isle of Man

Ellan Vannin

AT 1 of 1967

CRIMINAL EVIDENCE ACT 1967



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Index

Section	Page
1 Admissibility of certain trade or business records.....	5
2 Citation and saving.....	6
3 Commencement.....	6
ENDNOTES	7
TABLE OF LEGISLATION HISTORY	7
TABLE OF RENUMBERED PROVISIONS	7
TABLE OF ENDNOTE REFERENCES	7

**Isle of Man***Ellan Vannin*

CRIMINAL EVIDENCE ACT 1967

Received Royal Assent: 24 May 1967
Passed: 20 June 1967
Commenced: 20 June 1967

AN ACT to make certain trade or business records admissible as evidence in criminal proceedings.

1 Admissibility of certain trade or business records

[1965/1]

- (1) In any criminal proceedings where direct oral evidence of a fact would be admissible, any statement contained in a document and tending to establish that fact shall, on production of the document, be admissible as evidence of that fact if: —
- (a) the document is, or forms part of, a record relating to any trade or business and compiled, in the course of that trade or business, from information supplied (whether directly or indirectly) by persons who have, or may reasonably be supposed to have, personal knowledge of the matters dealt with in the information they supply; and
 - (b) the person who supplied the information recorded in the statement in question is dead, or beyond the seas, or unfit by reason of his bodily or mental condition to attend as a witness, or cannot with reasonable diligence be identified or found, or cannot reasonably be expected (having regard to the time which has elapsed since he supplied the information and to all the circumstances) to have any recollection of the matters dealt with in the information he supplied.
- (2) For the purpose of deciding whether or not a statement is admissible as evidence by virtue of this section, the court may draw any reasonable inference from the form or content of the document in which the statement is contained, and may, in deciding whether or not a person is fit to attend as a witness, act on a certificate purporting to be a certificate of a fully registered medical practitioner.

- (3) In estimating the weight, if any, to be attached to a statement admissible as evidence by virtue of this section regard shall be had to all the circumstances from which any inference can reasonably be drawn as to the accuracy or otherwise of the statement, and, in particular, to the question whether or not the person who supplied the information recorded in the statement did so contemporaneously with the occurrence or existence of the facts stated, and to the question whether or not that person, or any person concerned with making or keeping the record containing the statement, had any incentive to conceal or misrepresent the facts.
- (4) In this section 'statement' includes any representation of fact, whether made in words or otherwise, 'document' includes any device by means of which information is recorded or stored and 'business' includes any public transport, public utility or similar undertaking carried on by a local authority and the activities of the Post Office.

2 Citation and saving

[1965/2]

- (1) This Act may be cited as the Criminal Evidence Act, 1967.
- (2) Nothing in this Act shall prejudice the admissibility apart from the provisions of this Act.

3 Commencement

This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been signed by the Governor and the Speaker of the House of Keys.

ENDNOTES**Table of Legislation History**

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References