

# SAORSTÁT ÉIREANN.

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## BILLE UM FHIANNAISE SCRIBHINNE, 1925. DOCUMENTARY EVIDENCE BILL, 1925.

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*Mar do leasúidh i gCoiste.*

*As amended in Committee.*

### ARRANGEMENT OF SECTIONS.

#### Section.

1. Meaning of "Stationery Office."
2. Proof of Acts of the Oireachtas.
3. Proof of proclamations and certain orders.
4. Proof of rules, regulations, and byelaws.
5. Presumption of printing and publication by the Stationery Office.
6. Offences and penalties.
7. Authentication of official documents under Ministers and Secretaries Act, 1924.
8. Application of certain British Statutes.
9. Short title.



# SAORSTAT EIREANN.

BILLE UM FHIANAISE SCRIBHINNE, 1925.

DOCUMENTARY EVIDENCE BILL, 1925.

## BILL

*entitled*

AN ACT TO REGULATE THE MODE OF PROOF OF  
OFFICIAL DOCUMENTS, TO MAKE PROVISION FOR  
THE PUNISHMENT OF OFFENCES IN RELATION TO  
OFFICIAL DOCUMENTS, AND FOR OTHER PURPOSES  
CONNECTED THEREWITH.

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BE IT ENACTED BY THE OIREACHTAS OF SAORSTAT  
EIREANN AS FOLLOWS:—

Meaning of  
"Stationery  
Office."

1.—In this Act and in every other Act of the Oireachtas the  
expression "the Stationery Office" means and, in the case of  
an Act passed before this Act, shall be deemed always to have  
meant the Stationery Office established and maintained by the  
Government of Saorstát Eireann.

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Proof of Acts of  
the Oireachtas.

2.—*Prima facie* evidence of this or any other Act of the  
Oireachtas whether public or private, and whether passed before  
or after the passing of this Act, or of the Journal of the Proceed-  
ings of either House of the Oireachtas, may be given in all Courts  
of Justice and in all legal proceedings by the production of a  
copy of such Act or Journal printed under the super-  
intendence or authority of and published by the Stationery  
Office.

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Proof of  
proclamations  
and certain  
orders.

3.—*Prima facie* evidence of any proclamation, order or other  
official document issued or made by the Governor-General on the  
advice of the Executive Council and of any proclamation issued  
by the Executive Council may be given in all Courts of Justice  
and in all legal proceedings in all or any of the ways hereinafter  
mentioned, that is to say:—

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(a) by the production of a copy of the *Iris Oifigiúil* purport-  
ing to contain such proclamation, order, or other official  
document; or

(b) by the production of a copy of such proclamation, order or  
other official document printed under the  
superintendence or authority of and published by the  
Stationery Office; or

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(c) by the production of a copy of or extract from such  
proclamation, order or other official document pur-  
porting to be certified to be true by the Secretary  
to the Executive Council or by some other officer of  
the Executive Council authorised in that behalf by  
the President.

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Proof of rules,  
regulations and  
byelaws.

4.—(1) *Prima facie* evidence of any rules, orders, regulations,  
or byelaws to which this section applies, may be given in all  
Courts of Justice and in all legal proceedings by the production  
of a copy of the *Iris Oifigiúil* purporting to contain such rules,  
orders, regulations, or byelaws or by the production of a copy  
of such rules, orders, regulations, or byelaws printed under the  
superintendence or authority of and published by the Stationery  
Office.

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(2) This section applies to all rules, orders, regulations and  
byelaws made under the authority of any British Statute or any  
Act of the Oireachtas by—

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(a) the Governor-General on the advice of the Executive  
Council, or



- (b) the Executive Council, or  
(c) a Minister, or  
(d) any statutory body, corporate or unincorporate, exercising throughout the whole of Saorstát Éireann any function of government or discharging throughout the whole of Saorstát Éireann any public duties in relation to public administration.

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5.—(1) Every copy of an Act of the Oireachtas, proclamation, order, rule, regulation, byelaw, or other official document which purports to be published by the Stationery Office or to be published by the authority of the Stationery Office shall, until the contrary is proved, be presumed to have been printed under the superintendence and authority of and to have been published by the Stationery Office.

Presumption of printing and publication by the Stationery Office.

15 (2) Where an Act of the Oireachtas, whether passed before or after the passing of this Act, provides that a copy of any proclamation, order, rule, regulation, byelaw, or other official document shall be conclusive evidence or be *prima facie* evidence, or be evidence, or have any other effect when purporting to be  
20 printed under the superintendence and authority, or the superintendence, or the authority, of the Stationery Office, such copy shall also be conclusive evidence or *prima facie* evidence or evidence or have the said effect (as the case may require) if it purports to be published by the Stationery Office or to be  
25 published by the authority of the Stationery Office.

6.—(1) Every person who shall print or publish any copy of an Act of the Oireachtas or any copy of a proclamation, order, rule, regulation, byelaw, or other official document made or issued—

Offences and penalties.

- 30 (a) by the Executive Council, or  
(b) by the Governor-General on the advice of the Executive Council, or  
(c) by any Minister who is the head of a Department of State established by the Ministers and Secretaries Act, 1924 (No. 16 of 1924), or  
35 (d) by any body, corporate or unincorporate, exercising throughout the whole of Saorstát Éireann any function of government or discharging throughout the whole of Saorstát Éireann any public duties in relation to  
40 public administration,

which copy shall falsely purport to have been printed under the superintendence or the authority of the Stationery Office or to have been published by or by the authority of the Stationery Office shall be guilty of felony and shall be liable on conviction  
45 thereof to suffer penal servitude for any term not exceeding seven years or imprisonment with or without hard labour for any term not exceeding two years.

(2) Every person who shall print or publish any document which purports to be a copy of an Act of the Oireachtas or  
50 of any such proclamation, order, rule, regulation, byelaw or other official document as is mentioned in the foregoing subsection and which is in any material respect (whether by addition, omission, or otherwise) not a true copy of such Act or document shall be guilty of felony and shall be liable on conviction thereof  
55 to suffer penal servitude for any term not exceeding seven years or imprisonment with or without hard labour for any term not exceeding two years.

(3) If any person shall tender in evidence in any Court of Justice or any legal proceedings a copy of any Act of the  
60 Oireachtas or of any such order, rule, regulation, byelaw, or other official document as is mentioned in sub-section (1) of this section which copy purports and is represented by such person to have been printed under the superintendence or the authority



of the Stationery Office or to have been published by or by the authority of the Stationery Office and was to the knowledge of such person not so printed or not so published, such person shall be guilty of a misdemeanour and shall be liable on conviction thereof to suffer penal servitude for any term not exceeding five years or imprisonment with or without hard labour for any term not exceeding two years. 5

(4) If any person shall tender in evidence in any Court of Justice or in any legal proceedings a document which purports and is represented by such person to be a copy of an Act of the Oireachtas or of any such proclamation, order, rule, regulation, byelaw, or other official document as is mentioned in sub-section (1) of this section and is to the knowledge of such person in any material respect (whether by addition, omission, or otherwise) not a true copy of such Act or document, such person shall be guilty of a misdemeanour and shall be liable on conviction thereof to suffer penal servitude for any term not exceeding five years or imprisonment with or without hard labour for any term not exceeding two years. 10 15

Authentication  
of official  
documents under  
Ministers and  
Secretaries Act,  
1924.

7.—(1) A Minister who is head of a Department of State established under the Ministers and Secretaries Act, 1924 (No. 16 of 1924) may at any time or times authorise more than one person to authenticate by his signature the seal of such Minister, and where more than one person is so authorised by any such Minister the seal of such Minister shall be sufficiently authenticated for the purposes of sub-section (1) of section 15 of the said Act if it is authenticated by the signature of one of the persons who are for the time being so authorised. 20 25

(2) Any such Minister as aforesaid may at any time or times authorise more than one officer of his Department of State to authenticate orders and instruments under sub-section (4) of section 15 of the Act aforesaid, and where more than one such officer is so authorised any order or instrument which can under that sub-section be authenticated by the signature of such Minister shall be sufficiently authenticated by the signature of any one of the officers who are for the time being so authorised. 30 35

(3) This section shall be deemed to have had effect as from the commencement of the said Ministers and Secretaries Act, 1924.

Application of  
certain British  
Statutes.

8.—The Evidence Act, 1845, the Documentary Evidence Act, 1868, and the Documentary Evidence Act, 1882, shall not apply to any document to which this Act applies but in all other respects the said Acts shall continue to have the same force and effect as they respectively had immediately before the passing of this Act. 40 45

Short title.

9.—This Act may be cited as the Documentary Evidence Act, 1925.



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# Saorstát Éireann.

# Saorstát Éireann

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BILLE UM FHIANAISE SCRIBHINNE, 1925.

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DOCUMENTARY EVIDENCE BILL, 1925

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## BILLE

*(mar do leasúidh i gCoiste)*

*dá ngairmtear*

Acht chun modh cruthuithe scríbhinní oifigiúla do regleáil, chun socrú do dhéanamh chun ciontaí a bhaineas is scríbhinní oifigiúla do phionósú, agus chun crícheanna eile a bhaineas leis na nithe sin.

*An tUachtarán do thug isteach.*

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*Do hordúidh, ag Dáil Éireann, do chlóbhuála,  
2adh Meitheamh, 1925.*

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FOILLSITHE AG OIFIG AN TSOLATHAIR.

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40 agus 41 Sráid Iochtarach Uí Chonaill,  
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[*Raol Glan.*]

Wt. 17—1933. 550. 6/25. C.&Co. (2278)

## BILL

*(as amended in Committee)*

*entitled*

An Act to regulate the mode of proof of official documents, to make provision for the punishment of offences in relation to official documents, and for other purposes connected therewith.

*Introduced by the President.*

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*Ordered, by Dáil Éireann, to be printed,  
2nd June, 1925.*

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DUBLIN:  
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through MESSRS. EASON & SON, LTD  
40 and 41 Lower O'Connell Street,  
Dublin.

Printed by MESSRS. CAHILL AND CO., LTD.

[*Sixpence Net.*]