



EVIDENCE (AMENDMENT) ACT, 2013

(Act 23 of 2013)

L'assent



A handwritten signature in black ink, appearing to read 'Michel'.

J. A. Michel
President

31st December, 2013

ANACT to amend the Evidence Act 1882.

ENACTED by the President and the National Assembly.

1. This Act may be cited as the Evidence (Amendment) Act, 2013. Short title

Amendment of
Cap 74

2.(1) The Evidence Act is hereby amended by inserting after section 11B the following new section —

“Evidence
of
Witness
from
outside the
courtroom

11C.(1) In this section “live television link” means an arrangement for the evidence of a witness to be given from outside the courtroom, or from outside Seychelles, and transmitted to the courtroom by means of a two-way simultaneous video and audio link.

(2) Where —

- (a) a person other than the accused is outside Seychelles; or
- (b) it is not reasonably practicable for a person, other than the accused, to be brought before the court in person; and
- (c) the court is of the opinion that it is desirable and practicable that the person give evidence before the court under this section; and
- (d) the arrangement would not unfairly prejudice a party to the proceedings,

then the court may subject to this section make an order that the person give evidence through a live television link.

(3) In making an order under this section, the court may set out such conditions as appear just and necessary, and in particular may require that —

- (a) the evidence be given from a particular location; or

(b) the evidence be given in the presence of a person approved by the court.

(4) Where, in a trial by jury, the court makes an order under subsection (2), the judge shall warn the jury not to draw from that fact any inference adverse to an accused and not to allow it to influence the weight to be given to the evidence of the witness in respect of whom the order was made.

(5) The Court may at any time, of its own motion or on the application of a party to the proceedings or the witness, vary or revoke an order made under subsection (2).

(6) A statement under oath given in evidence under this section shall be treated as if it had been given in the proceedings in the courtroom.”.

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 18th December, 2013.



Azarel Ernesta
Clerk to the National Assembly