



**EVIDENCE AMENDMENT (ANALYSTS'
CERTIFICATES) ACT 1996**

No. 38 of 1996

CONTENTS

1. Short title
2. Commencement
3. Principal Act
4. Section 60 amended (Certificate of analyst to be evidence)



EVIDENCE AMENDMENT (ANALYSTS' CERTIFICATES) ACT 1996

No. 38 of 1996

An Act to amend the *Evidence Act 1910*

[Royal Assent 16 December 1996]

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

Short title

1. This Act may be cited as the *Evidence Amendment (Analysts' Certificates) Act 1996*.

Commencement

2. This Act commences on the day after the day on which it receives the Royal Assent.

Principal Act

3. In this Act, the *Evidence Act 1910** is referred to as the Principal Act.

Section 60 amended (Certificate of analyst to be evidence)

4. (1) Section 60(1) of the Principal Act is amended as follows:

- (a) by omitting "summary proceedings" and substituting "proceedings in a court";
- (b) by inserting "or direction" after "supervision" in paragraph (b).

(2) Section 60(2) of the Principal Act is amended as follows:

- (a) by omitting the definition of "analysis" and substituting the following definition:

"analysis" includes examination, testing, handling and storage done by, or under the supervision or direction of, an analyst;

- (b) by inserting "of the Commonwealth, of a State or Territory or of any other jurisdiction" after

* 1 Geo. V No. 20. For this Act, as amended to 1 June 1979, see the continuing Reprint of Statutes. Subsequently amended by No. 52 of 1981, Nos. 60 and 75 of 1982, No. 29 of 1984, Nos. 5, 21 and 51 of 1985, No. 34 of 1986, Nos. 55 and 77 of 1987, Nos. 4 and 25 of 1988, No. 5 of 1990, Nos. 1, 25, 27 and 46 of 1991, Nos. 13 and 36 of 1992, Nos. 5, 57, 73, 89 and 100 of 1993, Nos. 25, 64, 68 and 72 of 1994, Nos. 30, 37, 70 and 75 of 1995 and Nos. 13, 17 and 37 of 1996.

"Act" in paragraph (b) of the definition of "analyst";

- (c) by omitting "Act to analyse, examine or test any substance." from paragraph (c) of the definition of "analyst" and substituting "such Act to perform an analysis; or";
- (d) by inserting the following paragraph after paragraph (c) of the definition of "analyst":
 - (d) any other person who has the appropriate qualifications or experience to perform an analysis.

*[Second reading presentation speech made in:--
House of Assembly on 22 October 1996
Legislative Council on 5 November 1996]*

