



Civil Evidence Act 1972

1972 CHAPTER 30

5 Interpretation, application to arbitrations etc. and savings.

[^{F1}(1) In this Act “civil proceedings” means civil proceedings, before any tribunal, in relation to which the strict rules of evidence apply, whether as a matter of law or by agreement of the parties; and references to “the court” shall be construed accordingly.]

[^{F2}(2) The rules of court made for the purposes of the application of sections 2 and 4 of this Act to proceedings in the High Court apply, except in so far as their application is excluded by agreement, to proceedings before tribunals other than the ordinary courts of law, subject to such modifications as may be appropriate.

Any question arising as to what modifications are appropriate shall be determined, in default of agreement, by the tribunal.]

- (3) Nothing in this Act shall prejudice—
- (a) any power of a court, in any civil proceedings, to exclude evidence (whether by preventing questions from being put or otherwise) at its discretion; or
 - (b) the operation of any agreement (whenever made) between the parties to any civil proceedings as to the evidence which is to be admissible (whether generally or for any particular purpose) in those proceedings.

Textual Amendments

F1 S. 5(1) substituted (31.1.1997) by 1995 c. 38, s. 15(1), **Sch. 1 para. 7** (with ss. 1(3), 6(4)(5), 14); S.I. 1996/3217, **art. 2**

F2 S. 5(2) substituted (31.1.1997) by 1995 c. 38, s. 15(1), **Sch. 1 para. 7** (with ss. 1(3), 6(4)(5), 14); S.I. 1996/3217, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Civil Evidence Act 1972, Section 5.