



Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

1951 CHAPTER 65

PART VII

MISCELLANEOUS AND GENERAL

60 Evidence as to performance of relevant service

- (1) A certificate stating that a person has performed or is performing or is to perform a period of relevant service or of relevant service of any particular description, or the duration or the date of the beginning or ending of such a period, or whether such a period which has been or is being or is to be performed by any person is or is not a short period of training, being a certificate which is signed by a person authorised in that behalf—
- (a) by the Admiralty, the Army Council or the Air Council (except in the case of such service being work or training in pursuance of an order made or direction given under Part I of the National Service Act, 1948, as respects a conditionally registered conscientious objector), or
 - (b) in the case of such work or training, by the Minister of Labour and National Service,

shall in all legal proceedings be sufficient evidence of the facts stated therein for the purposes of this Act except to any extent to which it is shown to be incorrect.

- (2) A certificate signed by a person authorised in that behalf by the Admiralty, the Army Council or the Air Council stating that a person is not performing, and has not within a specified previous time performed, a period of relevant service in a specified force or forces (being a force or forces in respect of which the Admiralty, the Army Council or the Air Council, as the case may be, keep records), and any like certificate signed by a person authorised in that behalf by the Minister of Labour and National Service in relation to such work or training as is mentioned in the preceding subsection, shall in all legal proceedings be sufficient evidence of the facts stated therein for the purposes of this Act except to any extent to which it is shown to be incorrect.

Status: This is the original version (as it was originally enacted).

- (3) A certificate signed by a person authorised in that behalf by the Admiralty, the Army Council, the Air Council or the Minister of Labour and National Service, referring to an inquiry as to a person therein described and being to the effect that no person answering to that description is identifiable in the relevant records kept by the authority on whose behalf the certificate is signed, shall be sufficient evidence for the purposes of this Act that no such person is so identifiable.
- (4) A certificate signed as aforesaid stating any matter as a matter appearing from records shall be treated for the purposes of subsection (1), and of subsection (2), of this section as stating it as a fact.
- (5) A document purporting to be a certificate signed as aforesaid shall be deemed to be such unless the contrary is proved.
- (6) The Admiralty, the Army Council, the Air Council and the Minister of Labour and National Service shall respectively be under obligation to secure that, on inquiry made to them for the purposes of this Act as to a person therein described, if the information appearing from records kept by them is such as to enable a certificate falling within subsection (1) or subsection (2) of this section to be given as to a person appearing to answer that description, or is such as to justify the giving of a certificate falling within subsection (3) of this section, such a certificate shall be given:

Provided that no certificate the giving of which would in the opinion of the authority to whom the inquiry is made be against the interests of national security shall be given.