

**1976 No. 428****EVIDENCE****The Evidence (European Court) Order 1976**

*Made - - - - - 17th March 1976*

*Coming into Operation 4th May 1976*

At the Court at Buckingham Palace, the 17th day of March 1976

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by sections 6(1) and (2) of the Evidence (Proceedings in Other Jurisdictions) Act 1975(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

**1.**—(1) This Order may be cited as the Evidence (European Court) Order 1976 and shall come into operation on 4th May 1976.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

**2.** Sections 1 to 3 of the Evidence (Proceedings in Other Jurisdictions) Act 1975 shall apply to the Court of Justice of the European Communities.

**3.** Section 1(4) of the Perjury Act 1911(c) and section 1(4) of the Perjury Act (Northern Ireland) 1946(d) shall have effect in relation to proceedings in the said Court as they have effect in relation to a judicial proceeding in a tribunal of a foreign state.

**4.** The Evidence (European Court) Order 1972(e) is hereby revoked.

*N. E. Leigh*

**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This Order enables evidence for proceedings before the European Court of Justice to be taken at the request of that Court by courts in the United Kingdom. The Order replaces similar provisions made in the Evidence (European Court) Order 1972 which is revoked.

(a) 1975 c. 34.

(b) 1889 c. 63.

(c) 1911 c. 6.

(d) 1946 c. 13 (N.I.).

(e) S.I. 1972/1722 (1972 III, p. 5026).

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