# Update Cross on Evidence

# **Service 116 — March 2021**

## Legislation

#### **Appendices**

The Search and Surveillance Act 2012 has been amended by:

- the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020 (2020 No 62), effective 11 November 2020; and
- the Privacy Act 2020 (2020 No 31), effective 1 December 2020.

## **Commentary**

#### Evidence Act 2006

#### Part 1 — Preliminary provisions

Commentary has been updated: see [EVA5.2], [EVA5.5], and [EVA7.1]-[EVA7.6].

#### Part 2 — Admissibility rules, privilege, and confidentiality

Commentary has been updated: see [EVAPart2Subpart1.2], [EVA17.1], [EVA17.3], [EVA7.4], [EVA18.2], [EVA18.3], [EVA18.5], [EVA19.1]–[EVA19.3], [EVA20.1], [EVA21.1], [EVA22.1], [EVA22A.1], [EVA24.2], [EVA25.2], [EVA25.4], [EVA25.6]–[EVA25.8A], [EVA25.10]-[EVA25.13], [EVA27.4], [EVA28.12], [EVA28.13], [EVA29.4], [EVA30.1]-[EVA30.3], [EVA30.5], [EVA33.2]-[EVA33.5], [EVA35.2]-[EVA35.4], [EVA35.9], [EVA35.12], [EVA35.15], [EVA37.2], [EVA37.5], [EVA37.10], [EVA38.4], [EVA38.5], [EVA40.2], [EVA40.4], [EVA42.2], [EVA43.3], [EVA43.5], [EVA43.6], [EVA43.13], [EVA43.14], [EVA43.18], [EVA44.8], [EVA44.9], [EVAPart2Subpart6.1]–[EVAPart2Subpart6.3], [EVA45.2]–[EVA45.4], [EVA45.9], [EVA45.10], [EVA46.2]-[EVA46.5], [EVA47.2], [EVA49.1], [EVA50.6], [EVA53.3], [EVA53.5], [EVA53.6], [EVA54.2], [EVA54.5], [EVA54.15]–[EVA54.17], [EVA56.3], [EVA56.5], [EVA57.4]-[EVA57.6], [EVA57.9], [EVA58.4], [EVA60.4]-[EVA60.6], [EVA62.4], [EVA65.3]-[EVA65.6], [EVA66.3], [EVA66.4], [EVA67.3], [EVA69.7], [EVA69.8], [EVA70.3] and [EVA70.7].

#### Part 3 — Trial process

Commentary has been updated: see [EVAPart3Subpart1.1], [EVA71.2], [EVA71.3], [EVA72.1], [EVA73.2], [EVA73.4], [EVA74.2], [EVA74.3], [EVA75.2], [EVA76.1], [EVA76.3]–[EVA76.6], [EVA77.1]–[EVA77.3], [EVA77.5], [EVA78.5], [EVA80.5], [EVA81.1], [EVA82.2], [EVA82.3], [EVAPart3Subpart4.1], [EVA83.2], [EVA83.3], [EVA84.2], [EVA84.3], [EVA85.2], [EVA87.2], [EVA89.2], [EVA89.3], [EVA90.1], [EVA90.6], [EVA91.4], [EVA92.2], [EVA92.3], [EVA92.5], [EVA92.6], [EVA93.1], [EVA93.3], [EVA94.2], [EVA94.4], [EVA94.5], [EVA95.3], [EVA95.4],

[EVA96.1], [EVA97.1], [EVA97.2], [EVA98.1]–[EVA98.4], [EVA99.1], [EVA99.2], [EVA100.2], [EVA101.2], [EVAPart3Subpart5.1], [EVA103.1]–[EVA103.3], [EVA103.5], [EVA105.3], [EVA106.1], [EVA107.1]–[EVA107.3], [EVA108.1], [EVA110.2], [EVA112.1], [EVA121.1], [EVA121.3], [EVA122.2], [EVA122.5], [EVA124.2], [EVA125.2], [EVA125.3], [EVA126.2]–[EVA126.4], [EVA126.6], [EVA127.1], [EVA127.2], [EVA128.1], [EVA128.6], [EVA129.1], [EVA138.2], [EVA141.1], [EVA142.1], [EVA143.2], [EVA144.1] and [EVA147.1].

#### Part 4 — Evidence from overseas or to be used overseas

Commentary has been updated: see [EVA154.4], [EVA157.3] and [EVA171.3].

#### **Evidence Law Outside the Evidence Act**

#### Chapter Two — The Functions of the Judge and Jury

Commentary has been updated: see [2.3].

#### Chapter Three — Degrees of Proof

Commentary has been updated: see [3.1], [3.3] and [3.4].

#### **Chapter Four — Estoppel**

Part 1 — Estoppel by Record: see [4.11].

Part 2 — Other Forms of Estoppel: see [4.20] and [4.24].

Your Cross on Evidence service is now current as at March 2021.