

36. Certain evidential statements

(1) Despite anything in these rules or the Family Law Rules adopted and applied under Part 2 this rule applies to evidence other than evidence on an issue at a trial and where but for this rule, undue delay or inconvenience would be caused.

(2) If a statement on information and belief is made —

- (a) by a deponent in an affidavit; or
- (b) by a witness being examined orally,

and the deponent or witness gives the source and ground of the information, the court may admit the statement despite the statement being hearsay.

(3) If —

- (a) a deponent swears in an affidavit; or
- (b) a witness being examined orally states,

that a document is a copy of an original, the court may admit the document as evidence of the contents of the original even though the original is not produced.

[Rule 36 inserted in Gazette 26 Mar 2004 p. 1060-1.]