

**BELIZE:**

**EVIDENCE (AMENDMENT) (NO. 2) ACT, 2012.**

**ARRANGEMENT OF CLAUSES**

1. Short title.
2. Amendment of section 2.
3. Insertion of new section 73A.



No. 6 of 2012

I assent,

(SIR COLVILLE N. YOUNG)  
*Governor-General*

24<sup>th</sup> July, 2012.

**AN ACT to amend the Evidence Act, Chapter 95 of the Substantive Laws of Belize, Revised Edition 2000-2003, to provide for the admission of previous inconsistent statements of witnesses for the Prosecution as evidence of truth in criminal proceedings; and to provide for matters connected therewith or incidental thereto.**

*(Gazetted 28<sup>th</sup> July, 2012.)*

***BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:***

1. This Act may be cited as the

Short title.

**EVIDENCE (AMENDMENT) (NO. 2) ACT, 2012,**

CAP. 95  
Act 10/09  
33/10  
1/12.

and shall be read and construed as one with the Evidence Act which, as amended, is hereinafter referred to as the principal Act.

Amendment  
of section 2.

2. Section 2 of the principal Act is amended by deleting the definition "statement" and inserting the following definition:-

"statement" includes any representation of fact or opinion made; and it includes representations made in words, symbols, pictographic or other forms;".

Insertion of  
new section  
73A.

3. The principal Act is hereby amended by inserting immediately after Section 73, the following new Section:

"Admissibility  
of previous  
inconsistent  
statements  
as evidence  
of truth."

"73A Where in a criminal proceeding, a person is called as a witness for the Prosecution and –

- (a) he admits to making a previous inconsistent statement; or
- (b) a previous inconsistent statement made by him is proved by virtue of Section 71 or 72,

the statement is admissible as evidence of any matter stated in it of which oral evidence by that person would be admissible and may be relied upon by the Prosecution to prove its case."