



Uniform Evidence Acts comparative tables

Key to table

| | |
|------|---|
| = | This symbol indicates that the section either mirrors the Commonwealth provision or that the section is substantially equivalent to the Commonwealth provision. |
| • | This symbol indicates that the section is substantially different from the Commonwealth Act. |
| | Cells shaded in grey denote that there is no equivalent section in the particular Act. |
| [XX] | Section numbers enclosed within square brackets denote that the section appears in the Act of the jurisdiction but does not appear in the Commonwealth Act. |

Chapter 1

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-----|------|------------------------|------------|------|
| 1 | = | • | = | = | = |
| 2 | = | = | = | | = |
| | | | [2A] | | [2A] |
| 3 | • | = | • | • | • |
| | | [3A] | [3A], [3B], [3C], [3D] | [3A], [3B] | |
| 4 | • | • | • | • | • |
| 5 | | | | | |
| 6 | | | | | |
| 7 | = | = | = | | = |
| 8 | • | • | • | • | • |
| 8A | | | | = | = |
| 9 | • | • | • | • | • |
| 10 | = | = | = | = | = |
| 11 | = | = | = | = | = |

Chapter 2

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-------|-------|-------|-------|----|
| 12-18 | = | = | = | = | = |
| | • | | • | • | • |
| 20 | = | = | = | = | = |
| 21 | = | = | = | = | • |
| 22 | • | • | = | • | • |
| 23 | • | • | = | • | • |
| 24 | = | = | = | = | |
| | [24A] | [24A] | | [24A] | |
| 26-30 ¹ | = | = | = | = | = |
| | | | [30A] | | |

¹ None of the Acts contain a section 25.

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-----|-----|-----|-----|----|
| 31-40 | = | = | = | = | = |
| 41 | = | ● | = | = | ● |
| 42-54 | = | = | = | = | = |

Chapter 3

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|-----------------------------|-------------------|---------------|---------------|---------------|----|
| 55-58 | = | = | = | = | = |
| 59 | = | ● | = | = | = |
| 60-67 | = | = | = | = | = |
| 68 | ● | ● | ● | ● | ● |
| 69 | = | = | = | = | = |
| 70 | ● | ● | ● | ● | ● |
| 71-75 | = | = | = | = | = |
| 76 | = | ● | = | = | = |
| 77-85 | = | = | = | = | = |
| | | | [85A] | | |
| 86-103 | = | = | = | = | = |
| 104 | = | = | ● | = | = |
| 106, 108, 108A ² | = | = | = | = | = |
| 108B | = | = | ● | = | = |
| 108C, 109-112 | = | = | = | = | = |
| 113 | = | = | ● | = | = |
| 114 | = | = | ● | = | = |
| 115 | = | = | ● | = | = |
| 117-126 | = | = | = | = | = |
| | [126A]- [126F] | | [126A]-[126F] | [126A]-[126F] | |
| 126G | ● | | | | |
| 126H | ● | | | | |
| | [126I]- [126L] | [126J]-[126K] | | [126J]-[126L] | |

² None of the Acts contain section 105 or 107.

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-----|-----|-------------------|-----|----|
| 127 | = | = | = | = | = |
| | | | [127A]- [127B] | | |
| 128 | • | • | • | • | • |
| 128A | • | • | • | • | • |
| 129 | • | • | • | • | • |
| 130-131 | = | = | = | = | = |
| 131A | • | • | • | • | • |
| 131B | | | | | |
| 132-139 | = | = | = | = | = |

Chapter 4

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-----|-----|--------|-----|----|
| 140-142 | = | = | = | = | = |
| | | | [142A] | | |
| 143-147 | = | = | = | = | = |
| 148 | = | = | = | = | • |
| 149 | = | = | = | = | = |
| 150 | • | • | • | • | • |
| 151 | | | | | |
| 152-154 | = | = | = | = | = |
| 155 | • | • | • | • | • |
| 155A | | | | | |
| 156-159 | = | = | = | = | = |
| 160 | = | = | • | = | = |
| 161-162 | = | = | = | = | = |
| 163 | | | | | |
| 164 | = | = | = | = | = |
| 165 | = | = | • | = | = |
| 165A | = | = | = | = | = |
| 165B | • | = | = | = | • |
| 166-170 | = | = | = | = | = |
| 171 | • | • | • | • | • |

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|-------------------------------|------------|------------|---------------|------------|-----------|
| 172-177 | = | = | = | = | = |
| | | | [177A]-[177E] | | |
| 178 | = | = | ● | = | = |
| 179-181 | = | = | = | = | = |
| | | | [181A] | | |

Chapter 5

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-------|-------|--------------------------|-----|-------|
| 182 | | | | | |
| 183-184 | = | = | = | = | = |
| 185 | | | | | |
| 186 | | | | | |
| 187-192, 192A | = | = | = | = | = |
| 193 | = | = | • | = | = |
| | [194] | [194] | [194], [194A]- [194M] | | [194] |
| 195 | • | • | • | • | = |
| | [196] | | [196], [196A]- [196C] | | [196] |
| 197 | = | • | • | • | • |
| | [198] | | [198], [199]- [200] | | |

Dictionary

Please note that the Dictionary in the *Evidence Act 2001* (Tas) is located in sections 3-3D instead of at the end of the Act.

Part 1—Definitions

| Defined word/term in the Cth Act | NSW | Vic | Tas | ACT | NT |
|---|-----|-----|--|---------------------------------------|----|
| | | | | Additional definition for 'ACT Court' | |
| <i>Admission</i> | = | = | = | = | = |
| | | | Additional definitions for 'analysis, analyst' | | |
| <i>Asserted fact, associated defendant, Australia, Australian court, Australian law</i> | = | = | = | = | = |

| Defined word/term in the Cth Act | NSW | Vic | Tas | ACT | NT |
|--|------------|------------|------------|--|--|
| <i>Australian Lawyer</i> | • | • | • | • | • |
| <i>Australian legal practitioner</i> | • | • | • | • | • |
| <i>Australian Parliament</i> | = | = | = | = | = |
| <i>Australian practising certificate</i> | • | • | • | • | • |
| <i>Australian registered foreign lawyer</i> | • | • | • | • | • |
| <i>Australian Statistician</i> | = | = | = | • | = |
| <i>Business, case</i> | = | = | = | = | = |
| <i>Child</i> | = | = | = | • | = |
| <i>Civil penalty, civil proceedings, client, coincidence evidence, coincidence rule</i> | = | = | = | = | = |
| | | | | Additional definition for 'Commonwealth Act' | Additional definition for 'Commonwealth Act' |
| <i>Commonwealth agency, Commonwealth document, Commonwealth entity</i> | | | | | |
| <i>Commonwealth owned body corporate, Commonwealth record, Confidential communication, Confidential document, credibility, credibility</i> | = | = | = | = | = |

| Defined word/term in the Cth Act | NSW | Vic | Tas | ACT | NT |
|---|--|--|--|-----------------------------------|--|
| <i>evidence, credibility rule, criminal proceeding, cross-examination, cross-examiner</i> | | | | | |
| | | | Additional definition for 'counselling communication' | | |
| | Additional definition for 'court' | Additional definition for 'court' | Additional definition for 'court' | Additional definition for 'court' | Additional definition for 'court' |
| <i>De facto partner</i> | = | = | | | |
| <i>Document, Electronic communication, examination in chief</i> | = | = | = | = | = |
| <i>Exercise of a function</i> | = | = | = | | = |
| <i>Fax</i> | = | = | = | = | = |
| <i>Federal court</i> | | | | | |
| <i>Foreign court</i> | = | = | = | • | = |
| <i>Function</i> | = | = | = | = | = |
| <i>Government or official gazette</i> | • | • | | • | • |
| | Additional definition for 'Governor of a State' and 'Governor-General' | Additional definition for 'Governor of a State' and 'Governor-General' | Additional definition for 'Governor of a State' and 'Governor-General' | | Additional definition for 'Governor of a State' and 'Governor-General' |
| <i>Hearsay rule, identification evidence, investigating official, joint sitting, judge,</i> | = | = | = | = | = |

| Defined word/term in the Cth Act | NSW | Vic | Tas | ACT | NT |
|---|---|---|--|---|---|
| <i>law</i> | | | | | |
| | | | | Additional definition for 'lawyer' | Additional definition for 'lawyer' |
| <i>Leading question, legal counsel</i> | = | = | = | = | = |
| <i>Legislative Assembly</i> | = | = | = | • | = |
| <i>Offence, opinion rule</i> | = | = | = | = | = |
| | Additional definition for 'member of AFP' and 'NSW court' | Additional definition for 'member of AFP' | Additional definition for 'member of AFP' and 'official questioning' | Additional definition for 'member of AFP' and 'NSW Act' | Additional definition for 'member of AFP' and 'NSW Act' |
| <i>OS registered foreign lawyer</i> | • | • | • | • | • |
| <i>Parent</i> | = | = | = | = | = |
| | | | | Additional definition for 'party' | Additional definition for 'party' |
| <i>Picture identification evidence</i> | = | = | | | = |
| <i>Police officer</i> | • | • | • | • | • |
| <i>Postal article, previous representation, prior consistent statement, prior inconsistent statement, probative value, prosecutor</i> | = | = | = | = | = |
| <i>Public document</i> | = | = | = | • | = |
| <i>Re-examination</i> | = | = | = | = | = |
| <i>Registered</i> | | | | | |
| <i>Representation, Seal</i> | = | = | = | = | = |

| Defined word/term in the Cth Act | NSW | Vic | Tas | ACT | NT |
|---|-----|---|--|-----|---|
| | | | Additional definitions for: 'serious offence' 'sexual offence' 'spouse' 'surrogate child' 'surrogate parent' 'Tasmanian court' | | |
| <i>Tendency evidence, tendency rule, traditional laws and customs</i> | = | = | = | = | = |
| | | Additional definition for 'Victorian court' | | | Additional definition for 'Territory court' and 'Victorian Act' |
| <i>Visual identification evidence</i> | = | = | | | = |
| <i>Witness</i> | = | = | = | = | = |

Part 2—Other expressions

| Section of Cth Act | NSW | Vic | Tas | ACT | NT |
|--------------------|-----|-----|-----|-----|----|
| 1 | = | = | = | ● | = |
| 2-8 | = | = | = | = | = |
| 8A | ● | ● | | ● | ● |
| 9-10 | = | = | = | = | = |
| 11 | = | ● | | | |