

This is a translation of the  
**Loi (1908) au Sujet des Témoins et Informateurs**

(Chapter 07.910)

as in force on 1 October 2021

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**LAW (1908) ON THE SUBJECT OF WITNESSES AND INFORMANTS**

**A LAW** on Procedure in Civil and Mixed Cases (Witnesses and Informants)

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**WHEREAS** it is in the interests of Justice that the most complete information in all cases, whether civil or mixed, be at the disposal of the persons called upon to adjudicate thereon –

**Article 1**

In civil or mixed cases, the parties themselves, and their relatives, without exception, shall be competent witnesses.

Provided however that a spouse shall not be compelled to disclose any communication made to him or her by the other spouse.

Provided however that a civil partner shall not be compelled to disclose any communication made to him or her by the other civil partner.

**Article 2**

**Article 3**

Any person convicted of any offence, whether the sentence has been undergone or not, shall be a competent witness (or informant) before all Courts and in all proceedings, civil or mixed.

#### Article 4

No witness shall be challenged on the ground of interest or animosity in any case, civil or mixed. He may, however, be questioned as to the interest he may have in the result or as to the animosity alleged to exist between him and one or more of the parties.

#### Article 5

The provisions of the preceding Articles apply to all evidence taken, orally or in writing, before all Courts and in all proceedings civil or mixed required by the Laws and Customs of the Island.

#### Article 6

After a civil case has been sent to proof, one or more of the parties in the case may, on application to the Inferior Number of the Court, obtain an Act authorising one or more persons to take the evidence on oath of one or more witnesses beyond the jurisdiction of the Royal Court. The Court shall give such directions as may be deemed just and reasonable, as to the manner in which the Act is to be put into execution, and as to the convening of the parties in the case.

A deposition taken beyond the jurisdiction of the Royal Court shall be under the signature of the person or persons authorised by the Court to take such evidence in virtue of the present Article; and it shall be deposited in the hands of the Greffier of the Royal Court in the period fixed by the Court. Such depositions shall be admitted as evidence in the case, in reference to which the Court granted the authorisation.

#### Article 7

The provisions of this Law which apply to civil cases shall apply to actions of "Clameur de Haro". Any other *cause en ajonction* and all proceedings for the protection of the revenues of the *Impôts* shall be deemed to be criminal cases for the purposes of the present Law.

#### Article 8

The present Law shall apply to all civil or mixed cases commenced.