

ADMISSIBILITY OF E-DOCUMENTS

I remember being at university a couple of decades ago and struggling with the law of evidence concerning electronically stored records. That remained a bit of a mystery to me for some years until, thankfully, along came the Electronic Communications and Transactions Act which made life far simpler.

The ECA effectively provides in section 15 that any documents stored electronically (data messages) may be admissible in evidence. What this means is that, if the data message is the best evidence of a document, electronically stored documents will deal with the issue of lost hard copy documents. Simply print out a copy of whatever document is needed in Court, prove the correctness of the electronic record and a lost hard copy will no longer be lost.

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