
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 543

The Rules of the Supreme Court (Northern Ireland) (Amendment No. 3) 1997

Medical evidence

2. Order 25 shall be amended as follows—

(a) for rule 4 there shall be substituted the following rule—

“4. Subject to rule 2, where a party proposes to adduce at the trial medical evidence obtained from any medical expert, he shall disclose all relevant medical evidence obtained at any time from that medical expert to the relevant party or parties—

(a) insofar as he then has in his possession or power that evidence, not later than 10 weeks from the close of the pleadings; and

(b) insofar as he thereafter obtains any such evidence before the date of trial, within 21 days of receiving it and in any case before the first day of the trial.”;

(b) for rule 9 there shall be substituted the following rule—

“9.—(1) A party serving or disclosing medical evidence under this Order shall do so by furnishing copies of any relevant medical report or reports, together with any documents emanating from the maker thereof which are intended by him to accompany or supplement any such report, or a document or documents containing a sufficient record of any such evidence as is referred to in rule 11(b). All such reports or other documents shall be signed and dated by the relevant medical expert and shall specify his professional qualifications.

(2) On the ex parte application of any party bound to serve or disclose any medical report under this Order the Court may give him leave—

(i) to adduce at the trial the evidence contained in any report without serving or disclosing the report; or

(ii) to omit or amend any part of any report when serving or disclosing the report.”.

(c) for Rule 11 there shall be substituted the following rule—

“11. For the purposes of this Order “medical evidence” means—

(a) the evidence contained in any report or other accompanying or supplemental document as specified in rule 9 and includes surgical and radiological evidence and any ancillary expert or technical evidence; and

(b) any other evidence of a medical, surgical or radiological nature which a party proposes to adduce at the trial by means of oral testimony,

and the expressions “medical expert” and “medical examination” shall be construed accordingly.”.