



Presumption of Death Act 2013

2013 CHAPTER 13

Further provision about declarations and orders

12 Information

- (1) In proceedings on an application under this Act for a declaration or a variation order, the court may by order at any stage require a person who is not a party to the proceedings to provide it with specified information that it considers relevant to the question of whether the missing person is alive or dead.
- (2) It may do so only where it considers it necessary for the purpose of disposing of the proceedings.
- (3) It may do so on the application of a party to the proceedings or without such an application being made.
- (4) The order may not require the provision of information—
 - (a) which is permitted or required by any rule of law to be withheld on grounds of public interest immunity,
 - (b) which any person would be entitled to refuse to provide on grounds of legal professional privilege, or
 - (c) whose provision might incriminate the person providing it, or that person's spouse or civil partner, of an offence.
- (5) Before making an order under this section, the court must send notice of its intention to make the order to any person who, in its opinion, is likely to be affected by the order.
- (6) The court may discharge or vary an order made under this section on an application made by any person who, in the opinion of the court, is affected by it.
- (7) In this section “specified” means specified in an order under this section.