
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 31

DISCLOSURE AND INSPECTION OF DOCUMENTS

Orders for disclosure against a person not a party

31.17.—(1) This rule applies where an application is made to the court under any Act for disclosure by a person who is not a party to the proceedings⁽¹⁾.

(2) The application must be supported by evidence.

(3) The court may make an order under this rule only where—

- (a) the documents of which disclosure is sought are likely to support the case of the applicant or adversely affect the case of one of the other parties to the proceedings; and
- (b) disclosure is necessary in order to dispose fairly of the claim or to save costs.

(4) An order under this rule must—

- (a) specify the documents or the classes of documents which the respondent must disclose; and
- (b) require the respondent, when making disclosure, to specify any of those documents—
 - (i) which are no longer in his control; or
 - (ii) in respect of which he claims a right or duty to withhold inspection.

(5) Such an order may—

- (a) require the respondent to indicate what has happened to any documents which are no longer in his control; and
- (b) specify the time and place for disclosure and inspection.

Commencement Information

II Rule 31.17 in force at 26.4.1999, see [Signature](#)

(1) An application for disclosure against a person who is not a party to proceedings is permitted under section 34 of the Supreme Court Act 1981(c. 54) or section 53 of the County Courts Act 1984 (c. 28).

Status:

Point in time view as at 07/10/2001. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 31.17.