
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.

F1

Textual Amendments

F1 Words in rule 31.17 omitted (31.12.2020) by virtue of [The Civil Procedure Rules 1998 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/521\)](#), regs. 1(1), **10(5)** (with reg. 22) (as amended by S.I. 2020/1493, regs. 1(1), 9(2)(e); 2020 c. 1, Sch. 5 para. 1(1))

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).

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 31.17. (See end of Document for details)

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