

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 31 **E+W**

DISCLOSURE AND INSPECTION OF DOCUMENTS

Right of inspection of a disclosed document **E+W**

31.3.—(1) A party to whom a document has been disclosed has a right to inspect that document except where—

- (a) the document is no longer in the control of the party who disclosed it;
- (b) the party disclosing the document has a right or a duty to withhold inspection of it; ^{F1}or
- (c) paragraph (2) applies ; ^{F2}...
- ^{F3}(d)

(Rule 31.8 sets out when a document is in the control of a party)

(Rule 31.19 sets out the procedure for claiming a right or duty to withhold inspection)

^{F4} ...

31.3.—(2) Where a party considers that it would be disproportionate to the issues in the case to permit inspection of documents within a category or class of document disclosed under rule 31.6(b)

- (a) he is not required to permit inspection of documents within that category or class; but
- (b) he must state in his disclosure statement that inspection of those documents will not be permitted on the grounds that to do so would be disproportionate.

(Rule 31.6 provides for standard disclosure)

(Rule 31.10 makes provision for a disclosure statement)

(Rule 31.12 provides for a party to apply for an order for specific inspection of documents)

Textual Amendments

- F1** Word in rule 31.3(1)(b) inserted (31.12.2020) by [The Civil Procedure Rules 1998 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/521), regs. 1(1), **10(2)(a)(i)** (with reg. 22) (as amended by S.I. 2020/1493, regs. 1(1), 9(2)(e); 2020 c. 1, Sch. 5 para. 1(1))
- F2** Word in rule 31.3(1)(c) 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(2)(a)(ii)** (with reg. 22) (as amended by S.I. 2020/1493, regs. 1(1), 9(2)(e); 2020 c. 1, Sch. 5 para. 1(1))
- F3** Rule 31.3(1)(d) 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(2)(a)(iii)** (with reg. 22) (as amended by S.I. 2020/1493, regs. 1(1), 9(2)(e); 2020 c. 1, Sch. 5 para. 1(1))

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 31.3. (See end of Document for details)

F4 Words in rule 31.3(1) 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(2)(b)** (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

I1 [Rule 31.3](#) in force at 26.4.1999, see [Signature](#)

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 31.3.