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STATUTORY INSTRUMENTS

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**2018 No. 719**

**The Housing Administration (England and Wales) Rules 2018**

**PART 4**

**COURT PROCEDURE AND PRACTICE**

**CHAPTER 2**

**Making applications to court**

**Witness statements and reports**

**4.21.**—(1) Where the Act or these Rules require evidence as to a matter, such evidence may be given by witness statement unless—

- (a) in a specific case a rule or the Act makes different provision; or
- (b) the court otherwise directs.

(2) Unless either the provision of the Act or rule under which the application is made provides otherwise or the court directs otherwise—

- (a) if the applicant intends to rely at the first hearing on evidence in a witness statement or report, the applicant must file the witness statement or report with the court and serve a copy of it on the respondent not less than 14 days before the date fixed for the hearing; and
- (b) where the respondent intends to oppose the application and rely for that purpose on evidence contained in a witness statement or report, the respondent must file the witness statement or report with the court and serve a copy of it on the applicant not less than five business days before the date fixed for the hearing.

(3) The court may order a person who has made a witness statement or report to attend for cross-examination.

(4) Where a person who has been ordered to attend fails to do so the witness statement or report must not be used in evidence without the court's permission.