
STATUTORY INSTRUMENTS

2020 No. 629

**The Smart Meter Communication Licensee
Administration (England and Wales) Rules 2020**

PART 13

Examination of persons in SMCL administration proceedings

Procedure for examination

153.—(1) At any examination of the respondent, the SMCL administrator may attend in person, or be represented by an appropriately qualified legal representative, and may put such questions to the respondent as the court may allow.

(2) Any creditor who has provided information on which the application was made under section 236 may attend the examination with the permission of the court and may put questions to the respondent (but only through the SMCL administrator).

(3) If the respondent is ordered to clarify any matter or to give additional information, the court must direct the respondent as to the questions which the respondent is required to answer, and as to whether the respondent's answers (if any) are to be made in a witness statement.

(4) The respondent may at the respondent's own expense employ an appropriately qualified legal representative who may—

- (a) put to the respondent such questions as the court may allow for the purpose of enabling the respondent to explain or qualify any answers given by the respondent; and
- (b) make representations on the respondent's behalf.

(5) There must be made in writing such record of the examination as the court thinks proper and such record must be read either to or by the respondent and authenticated by the respondent at a venue fixed by the court.

(6) The written record may, in any proceedings (whether under the 1986 Act or otherwise) be used as evidence against the respondent of any statement made by the respondent in the course of the respondent's examination.