
STATUTORY INSTRUMENTS

2015 No. 1568

The Faculty Jurisdiction Rules 2015

PART 13

Evidence of non-parties

Evidence of non-parties generally

- 13.1.**—(1) A person who is not a party to proceedings may apply to give evidence at a hearing.
- (2) An application under paragraph (1) must be accompanied by a witness statement containing the evidence that is intended to be given by the person concerned.

Evidence of the Church Buildings Council

- 13.2.**—(1) The Church Buildings Council may apply to give evidence whether or not it has been consulted under rule 9.6 or 9.7.
- (2) An application under this rule must be—
- (a) submitted to the registry not less than 21 days before the hearing; and
 - (b) accompanied by a witness statement containing the evidence to be relied on.

Evidence of Historic England and national amenity societies

- 13.3.**—(1) Historic England or a national amenity society may apply to give evidence whether or not it has been given special notice under rule 9.3.
- (2) An application under this rule must be—
- (a) submitted to the registry not less than 21 days before the hearing; and
 - (b) accompanied by a witness statement containing the evidence to be relied on.

Judge's witness

- 13.4.** The court may direct the attendance of any of the following to give evidence at a hearing if it appears that the person may be able to give relevant evidence and is willing to give it—
- (a) a member or officer of the Church Buildings Council;
 - (b) a member or officer of the Diocesan Advisory Committee;
 - (c) any other person.

Witness statements

- 13.5.** The requirements of rule 11.4(2) apply to a witness statement made for the purposes of this Part.

Notice to parties

13.6. Where an application to give evidence is made under rules 13.1 to 13.3, or where a direction is given under rule 13.4, the registrar must—

- (a) give the parties written notice of the application or direction;
- (b) provide them with the name and address of the witness;
- (c) in the case of an application made under rules 13.1 to 13.3, send them a copy of the witness statement that accompanies the application; and
- (d) in the case of a witness whose attendance is directed under rule 13.4, inform them of the nature of the evidence that is sought from that witness.

Treatment of non-party witness

13.7. A witness who gives evidence under any of rules 13.2 to 13.4 may ask questions of any party if the court gives permission.