



# Supreme Court Act 1981

## 1981 CHAPTER 54

### PART V

#### PROBATE CAUSES AND MATTERS

##### *Ancillary powers of court*

#### **122 Examination of person with knowledge of testamentary document**

- (1) Where it appears that there are reasonable grounds for believing that any person has knowledge of any document which is or purports to be a testamentary document, the High Court may, whether or not any legal proceedings are pending, order him to attend for the purpose of being examined in open court.
- (2) The court may—
  - (a) require any person who is before it in compliance with an order under subsection (1) to answer any question relating to the document concerned; and
  - (b) if appropriate, order him to bring in the document in such manner as the court may direct.
- (3) Any person who, having been required by the court to do so under this section, fails to attend for examination, answer any question or bring in any document shall be guilty of contempt of court.

#### **123 Subpoena to bring in testamentary document**

Where it appears that any person has in his possession, custody or power any document which is or purports to be a testamentary document, the High Court may, whether or not any legal proceedings are pending, issue a subpoena requiring him to bring in the document in such manner as the court may in the subpoena direct.