

SCHEDULE 2

PROCEDURAL MATTERS

PART 10

GENERAL PROVISION AS TO COURT PROCEDURE AND PRACTICE

Use of affidavit evidence

35.—(1) In any proceedings evidence may be given by affidavit unless the court otherwise directs; but the court may, on the application of any party, order the attendance for cross-examination of the person making the affidavit.

(2) Where, after such an order has been made, the person in question does not attend, his affidavit shall not be used in evidence without the permission of the court.

Commencement Information

II Sch. 2 para. 35 in operation at 12.4.2007, see **reg. 1**

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Cross-Border Insolvency Regulations (Northern Ireland) 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 1 art. 16(2A) inserted by [S.I. 2019/146 Sch. para. 241\(a\)](#)
- Sch. 1 art. 3 omitted by [S.I. 2019/146 Sch. para. 240](#)
- Sch. 1 art. 2(b) substituted by [S.I. 2017/702 Sch. para. 144\(2\)](#)
- Sch. 1 art. 16(3) substituted by [S.I. 2019/146 Sch. para. 241\(b\)](#)
- Sch. 1 art. 2(b) words inserted by [S.I. 2019/146 Sch. para. 239\(a\)](#)
- Sch. 1 art. 2(k) words inserted by [S.I. 2019/146 Sch. para. 239\(b\)\(i\)](#)
- Sch. 1 art. 2(k) words inserted by [S.I. 2019/146 Sch. para. 239\(b\)\(ii\)](#)
- Sch. 1 art. 1(3)(b) words omitted by [S.I. 2019/146 Sch. para. 238](#)
- Sch. 2 para. 1(6)(6A) substituted for Sch. 2 para. 1(6) by [S.I. 2013/472 Sch. 2 para. 124\(a\)\(i\)](#)
- Sch. 2 para. 21(2)(i)(j) substituted for Sch. 2 para. 21(2)(i) by [S.I. 2013/472 Sch. 2 para. 124\(b\)\(ii\)](#)
- Sch. 2 para. 25(1)(i)(ia) substituted for Sch. 2 para. 25(1)(i) by [S.I. 2013/472 Sch. 2 para. 124\(c\)](#)
- Sch. 2 para. 26(3)(g)(ga) substituted for Sch. 2 para. 26(3)(g) by [S.I. 2013/472 Sch. 2 para. 124\(d\)](#)
- Sch. 2 para. (1)(1) words substituted by [S.I. 2017/702 Sch. para. 144\(3\)\(a\)](#)
- Sch. 2 para. (1)(1) words substituted by [S.I. 2017/702 Sch. para. 144\(3\)\(b\)](#)
- Sch. 4 Form ML6 words omitted by [S.I. 2019/146 Sch. para. 252](#)
- Sch. 5 para. 5 words substituted by [2010 c. 10 Sch. 2 para. 5](#)