



# Senior Courts Act 1981

## 1981 CHAPTER 54

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *Miscellaneous provisions*

#### **136 Production of documents filed in, or in custody of, [<sup>F1</sup>Senior Courts].**

(1) [<sup>F2</sup>Rules may be made in accordance with Part 1 of Schedule 1 to the Constitutional Reform Act 2005] for providing that, in any case where a document filed in, or in the custody of, any office of the [<sup>F1</sup>Senior Courts] is required to be produced to any court or tribunal (including an umpire or arbitrator) sitting elsewhere than at the Royal Courts of Justice—

- (a) it shall not be necessary for any officer, whether served with a subpoena in that behalf or not, to attend for the purpose of producing the document; but
- (b) the document may be produced to the court or tribunal by sending it to the court or tribunal, in the manner prescribed in the rules, together with a certificate, in the form so prescribed, to the effect that the document has been filed in, or is in the custody of, the office;

and any such certificate shall be prima facie evidence of the facts stated in it.

(2) Rules under this section may contain—

- (a) provisions for securing the safe custody and return to the proper office of the [<sup>F1</sup>Senior Courts] of any document sent to a court or tribunal in pursuance of the rules; and
- (b) such incidental and supplementary provisions as appear to the [<sup>F3</sup>person making the rules] to be necessary or expedient.

(3) <sup>F4</sup>.....

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*Changes to legislation: Senior Courts Act 1981, Section 136 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### Textual Amendments

- F1** Words in s. 136 and sidenote substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148, [Sch. 11 para. 26\(1\)](#); S.I. 2009/1604, [art. 2\(d\)](#)
- F2** Words in s. 136(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 12, 148, [Sch. 1 para. 13\(2\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 7
- F3** Words in s. 136(2)(b) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 12, 148, [Sch. 1 para. 13\(3\)](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 7
- F4** S. 136(3) repealed (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 12, 146, 148, Sch. 1 para. 13(3), [Sch. 18 Pt. 1](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 paras. 7, 30(a)

**Changes to legislation:**

Senior Courts Act 1981, Section 136 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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

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

- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)