



Crown Proceedings Act 1947

1947 CHAPTER 44

PART IV

MISCELLANEOUS AND SUPPLEMENTAL.

Miscellaneous.

28 **Discovery.**

- (1) Subject to and in accordance with rules of court and county court rules :—
- (a) in any civil proceedings in the High Court or a county court to which the Crown is a party, the Crown may be required by the court to make discovery of documents and produce documents for inspection ; and
 - (b) in any such proceedings as aforesaid, the Crown may be required by the court to answer interrogatories :

Provided that this section shall be without prejudice to any rule of law which authorises or requires the withholding of any document or the refusal to answer any question on the ground that the disclosure of the document or the answering of the question would be injurious to the public interest.

Any order of the court made under the powers conferred by paragraph (b) of this subsection shall, direct by what officer of the Crown the interrogatories are to be answered.

- (2) Without prejudice to the proviso to the preceding subsection, any rules made for the purposes of this section shall be such as to secure that the existence of a document will not be disclosed if, in the opinion of a Minister of the Crown, it would be injurious to the public interest to disclose the existence thereof.