

---

STATUTORY INSTRUMENTS

---

**2008 No. 2705**

The Mental Health Review Tribunal for Wales Rules 2008

**PART 3**

Proceedings before the Tribunal

CHAPTER 1

Before the final determination

**Summoning of witnesses and orders to answer questions or produce documents**

- 19.**—(1) On the application of a party or on its own initiative, the Tribunal may—
- (a) by summons require any person to attend as a witness at a hearing at the time and place specified in the summons, provided that—
    - (i) the person has been given reasonable notice of the hearing; and
    - (ii) unless the person is a party to the proceedings, the summons makes provision for the person's necessary expenses of attendance to be paid, and states by whom; and
  - (b) by order require any person to answer any questions or produce any documents in that person's possession or control which relate to any issue in the proceedings.
- (2) A summons under this rule must, if the person to whom it is addressed has not had an opportunity to object to it, state that the person may apply to the Tribunal to vary or set aside the summons.
- (3) When a summons is issued, the Tribunal must send a copy of the summons to each party to the proceedings.
- (4) No person may be compelled to give any evidence or produce any document that the person could not be compelled to give or produce on a trial of an action in a court of law in England or Wales.

**Changes to legislation:**

There are currently no known outstanding effects for the The Mental Health Review Tribunal for Wales Rules 2008, Section 19.