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STATUTORY INSTRUMENTS

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**2017 No. 1035**

The Court of Protection Rules 2017

**PART 14**

ADMISSIONS, EVIDENCE AND DEPOSITIONS

*Depositions*

**Enforcing attendance of a witness**

**14.19.**—(1) If a person served with an order to attend before an examiner—

- (a) fails to attend; or
- (b) refuses to be sworn for the purpose of the examination or to answer any lawful question or produce any document at the examination,

a certificate of that person's failure or refusal, signed by the examiner, must be filed by the party requiring the deposition.

(2) On the certificate being filed, the party requiring the deposition may apply to the court for an order requiring that person to attend or to be sworn or to answer any question or produce any document, as the case may be.

(3) An application for an order under this rule may be made without notice.

(4) The court may order the person against whom an order is sought or made under this rule to pay any costs resulting from that person's failure or refusal.

**Changes to legislation:**

There are currently no known outstanding effects for the The Court of Protection Rules 2017, Section 14.