
STATUTORY INSTRUMENTS

2018 No. 1135

The Education Administration Rules 2018

PART 4

COURT PROCEDURE AND PRACTICE

CHAPTER 4

Court file

Court file

4.25.—(1) Where documents are filed with the court under the Act or these Rules, the court must open and maintain a court file and place those documents on the file.

(2) The following may inspect the court file, or obtain from the court a copy of the court file, or of any document in the court file—

- (a) the education administrator;
- (b) the appropriate national authority;
- (c) a creditor who provides the court with a statement confirming that the person is a creditor of the further education body;
- (d) a relevant officer or a former relevant officer; and
- (e) a member of the further education body.

(3) The right to inspect and obtain copies may be exercised on a person's behalf by someone authorised to do so by that person.

(4) Other persons may inspect the file or obtain copies, if the court gives permission.

(5) The right to a copy of a document is subject to payment of the fee chargeable under an order made under section 92 of the Courts Act 2003⁽¹⁾.

(6) Inspection of the file, with permission if required, may be at any reasonable time.

(7) The court may direct that the file, a document (or part of it) or a copy of a document (or part of it) must not be made available under paragraphs (2) or (3) without the permission of the court.

(8) An application for a direction under paragraph (7) may be made by—

- (a) the education administrator; or
- (b) any person appearing to the court to have an interest.

(9) The following applications may be made without notice to any other party, but the court may direct that notice must be delivered to any person who would be affected by its decision—

- (a) an application for permission to inspect the file or obtain a copy of a document under paragraph (4); and
- (b) an application for a direction under paragraph (7).

⁽¹⁾ 2003 c. 39. There are amendments to section 92 which are not relevant to this instrument.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(10) If, for the purposes of powers conferred by the Act or these Rules, the appropriate national authority or the education administrator makes a request to inspect, or requests the transmission of, the court file, the court must comply with the request (unless the file is for the time being in use for the court's own purposes).

Office copies of documents

4.26.—(1) The court must provide an office copy of a document from the court file of education administration proceedings to a person who has under these Rules the right to inspect the court file where that person has requested such a copy and paid the appropriate fee under rule 4.25(5).

(2) A person's right under this rule may be exercised on that person's behalf by someone authorised to do so by that person.

(3) An office copy must be in such form as the judge thinks appropriate, and must bear the court's seal.