



Administration of Justice Act 1982

1982 CHAPTER 53

PART VIII

PROVISIONS RELATING TO NORTHERN IRELAND

71 Rules of court with respect to expert reports and oral expert evidence

- (1) Notwithstanding any enactment or rule of law by virtue of which documents prepared for the purpose of pending or contemplated civil proceedings or in connection with the obtaining or giving of legal advice are in certain circumstances privileged from disclosure, provision may be made by rules of court for enabling the court in any civil proceedings to direct, with respect to medical matters or matters of any other class which may be specified in the direction, that the parties or some of them shall each by such date as may be so specified (or such later date as may be permitted or agreed in accordance with the rules) disclose to the other or others in the form of one or more expert reports the expert evidence on matters of that class which he proposes to adduce as part of his case at the trial.
- (2) Provision may be made by rules of court as to the conditions subject to which oral expert evidence may be given in civil proceedings.
- (3) Without prejudice to the generality of subsection (2), rules of court made in pursuance of that subsection may make provision for prohibiting a party who fails to comply with a direction given by virtue of rules under subsection (1) from adducing, except with the leave of the court, any oral expert evidence whatsoever with respect to matters of any class specified in the direction.
- (4) Any rules of court made in pursuance of this section may make different provision for different classes of cases, for expert reports dealing with matters of different classes, and for other different circumstances.
- (5) References in this section to an expert report are references to a written report by a person dealing wholly or mainly with matters on which he is (or would if living be) qualified to give expert evidence.
- (6) In this section "rules of court" means—

Status: This is the original version (as it was originally enacted).

- (a) rules of court made under section 55 of the Judicature (Northern Ireland) Act 1978 ; and
- (b) county court rules made under Article 47 of the County Courts (Northern Ireland) Order 1980,

and nothing in this section shall prejudice the generality of the said section 55 and Article 47.