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STATUTORY INSTRUMENTS

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**2015 No. 1568**

**The Faculty Jurisdiction Rules 2015**

**PART 13**

**Evidence of non-parties**

**Evidence of non-parties generally**

- 13.1.**—(1) A person who is not a party to proceedings may apply to give evidence at a hearing.  
(2) An application under paragraph (1) must be accompanied by a witness statement containing the evidence that is intended to be given by the person concerned.

**Evidence of the Church Buildings Council**

- 13.2.**—(1) The Church Buildings Council may apply to give evidence whether or not it has been consulted under rule 9.6 or 9.7.  
(2) An application under this rule must be—  
(a) submitted to the registry not less than 21 days before the hearing; and  
(b) accompanied by a witness statement containing the evidence to be relied on.

**Evidence of Historic England and national amenity societies**

- 13.3.**—(1) Historic England or a national amenity society may apply to give evidence whether or not it has been given special notice under rule 9.3.  
(2) An application under this rule must be—  
(a) submitted to the registry not less than 21 days before the hearing; and  
(b) accompanied by a witness statement containing the evidence to be relied on.

**Judge's witness**

- 13.4.** The court may direct the attendance of any of the following to give evidence at a hearing if it appears that the person may be able to give relevant evidence and is willing to give it—  
(a) a member or officer of the Church Buildings Council;  
(b) a member or officer of the Diocesan Advisory Committee;  
(c) any other person.

**Witness statements**

- 13.5.** The requirements of rule 11.4(2) apply to a witness statement made for the purposes of this Part.

### **Notice to parties**

**13.6.** Where an application to give evidence is made under rules 13.1 to 13.3, or where a direction is given under rule 13.4, the registrar must—

- (a) give the parties written notice of the application or direction;
- (b) provide them with the name and address of the witness;
- (c) in the case of an application made under rules 13.1 to 13.3, send them a copy of the witness statement that accompanies the application; and
- (d) in the case of a witness whose attendance is directed under rule 13.4, inform them of the nature of the evidence that is sought from that witness.

### **Treatment of non-party witness**

**13.7.** A witness who gives evidence under any of rules 13.2 to 13.4 may ask questions of any party if the court gives permission.