

# Magistrates Court (Civil Jurisdiction) Rules 2004—Form 48

(see s 187 (3))

## Subpoena for production

To (*name*)

(*address*)

You are required to attend and produce this subpoena and such of the documents and things described in the schedule as are in your possession or control—

- (a) before the Court;
- (b) at (*address where proceedings are to be heard*);
- (c) on \_\_\_\_\_ 20\_\_\_\_, at 10 am and until you are excused from further attending, but—
  - (i) you need not attend or produce any document on any day unless reasonable expenses have been paid or tendered to you;
  - (ii) if you are not a party to these proceedings, instead of so attending you may produce the subpoena and such of the documents and things described in the schedule as are in your possession or control to the Registrar not later than the day before the first day on which you are required to attend; and
  - (iii) if, as an officer of a bank, you are required by this subpoena to produce a banker's book, and the *Evidence Act 1971*, part 5 applies, you need not produce it if you produce proof of the relevant entries in it in accordance with that part.

Schedule

(*description*)

Dated

20 .

Registrar

*Note:* If you do not comply with this subpoena you may be arrested and brought before the Court.

Issued at the request of (*name, address and telephone number*), the plaintiff's legal practitioner (*or as the case may be*).

## Endnotes

- 1 This form was originally in the *Magistrates Court (Civil Jurisdiction) Act 1982* (the **authorising Act**), schedule 1. Under amendments made by the *Legislation (Consequential Amendments) Act 2001*, the form was omitted from the authorising Act and became a form approved under section 471 of that Act (see amdt 1.2791, amdt 1.2793).
- 2 Under the *Court Procedures Act 2004* A2004-59, pt 8, this form became a form approved under that Act.
- 3 This republication includes amendments made under the Legislation Act, part 11.3 (Editorial changes).

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