



In the Family Court
sitting at [Court name]

Case No: [Case number]

[The Matrimonial Causes Act 1973] /
[The Civil Partnership Act 2004] /
[Schedule 1 to the Children Act 1989] /
[The Matrimonial and Family Proceedings Act 1984 and Schedule 7 to the Civil
Partnership Act 2004] /
The Family Procedure Rules 2010, Rule 21.2
(DELETE AS APPROPRIATE)

The [Marriage] / [Civil Partnership] / [Relationship] / [Family] of [applicant
name] and [respondent name]

After hearing [name the advocate(s) who appeared]
After consideration of the documents lodged by the parties
(IN THE CASE OF AN ORDER MADE WITHOUT NOTICE) After reading the statements
and hearing the witnesses specified in para [para number] of the Recitals below

**THIRD PARTY DISCLOSURE ORDER MADE BY [NAME OF JUDGE] ON
[DATE] SITTING IN [OPEN COURT] / [PRIVATE]
(DELETE AS APPROPRIATE)**

**WARNING: IF YOU DO NOT COMPLY WITH THIS ORDER, YOU MAY BE
HELD TO BE IN CONTEMPT OF COURT AND YOU MAY BE SENT TO
PRISON, BE FINED, OR HAVE YOUR ASSETS SEIZED.**

The parties

1. The applicant is [applicant name]
The [first] respondent is [respondent name]
[The second respondent is [respondent name]]
[The third [etc] respondent is [respondent name]]
[The intervener is [intervener name]]
(SPECIFY IF ANY PARTY ACTS BY A LITIGATION FRIEND)

Recitals

2. The [applicant] / [respondent] has applied, pursuant to the FPR 2010, rule 21.2,
for an order that [insert third party/ies] must disclose certain documents to the
[applicant] / [respondent] (“the requested documents”).
3. [This application was made and determined without notice to [insert third
party/ies] in accordance with FPR 2010, rule 21.2(2)(a). The judge read the
following affidavits/witness statements [set out] and heard oral evidence from
[[name].]

4. The court is satisfied that such disclosure is necessary in order to dispose fairly of these proceedings.

Orders

IT IS ORDERED THAT:

5. *[Insert third party/ies]* must provide to the *[applicant] / [respondent]* disclosure of the requested documents.
6. For the purposes of paragraph *[5] / [number of 1st para in Orders]*, *[insert third party/ies]* discloses the requested documents by declaring in a list which of those documents or classes of documents set out in the Schedule to this order:
 - a. are in *[insert third party/ies]*'s control and no right or duty to withhold inspection of them is claimed by *[insert third party/ies]* ("Category A");
or
 - b. are in *[insert third party/ies]*'s control but a right or duty to withhold inspection of them is claimed by *[insert third party/ies]* ("Category B");
or
 - c. were, but are no longer, in *[insert third party/ies]*'s control ("Category C"); or
 - d. were never in *[insert third party/ies]*'s control ("Category D").
7. For the purposes of paragraph *[5] / [number of 1st para in Orders]*, a document is or has been in *[insert third party/ies]*'s control if:
 - a. it is or was in *[insert third party/ies]*'s physical possession; or
 - b. *[Insert third party/ies]* has or has had a right to possession of it; or
 - c. *[Insert third party/ies]* has or has had a right to inspect or take copies of it.
8. In respect of the documents in Category A:
 - a. *[Insert third party/ies]* shall grant inspection of the documents by supplying copies thereof to the *[applicant] / [respondent]* *[by 4:00pm on [date]] / [by 4:00pm on the date 7 days after service of this order upon them]*; and
 - b. *[Insert third party/ies]*'s expenses of providing such copies shall be met by the *[applicant] / [respondent]*.
9. In respect of the documents in Category B, if, and only if, the *[applicant] / [respondent]* seeks inspection thereof, the *[applicant] / [respondent]* must, within 3 business days of being served with the list in paragraph *[5] / [number of 1st para in Orders]*, restore the matter to the court for determination of the question whether inspection should be withheld.

10. In respect of the documents in Category C, *[insert third party/ies]* must explain in the list what has happened to those documents.
11. The costs of *[insert third party/ies]* of and incidental to this application, including the costs of complying with this order, shall be paid by the *[applicant]* / *[respondent]* on the indemnity basis.
12. *[Insert third party/ies]* has the right to apply to have this order set aside, varied or stayed. An application by *[insert third party/ies]* under this paragraph must be made within 3 business days of being served with this order.
13. For the purposes of *[paragraphs 9 and 12]* / *[the above paragraphs]*, business days do not include a Saturday, Sunday, Christmas Day, Good Friday or a bank holiday.
14. **(IF THIS ORDER IS INCORPORATED INTO ANOTHER DIRECTIONS ORDER)** The *[applicant]* / *[respondent]* has permission to serve a redacted copy of this order (removing all paragraphs not relevant to *[insert third party/ies]*) on *[insert third party/ies]*.

Dated *[date]*

Approved by *[name]*

SCHEDULE

[List requested documents / classes of documents]