List of documents: standard disclosure

Notes:

- The rules relating to standard disclosure are contained in Part 31 of the Civil Procedure Rules and Section E of the Commercial Court Guide.
- Documents to be included under standard disclosure are contained in Rule 31.6
- A document has or will have been in your control if you have or have had possession, or a right of possession, of it **or** a right to inspect or take copies of it.

In the	**High Court of Justice Business and Property Courts of England and Wales Queen's Bench Division Commercial Court**
Claim No.	
Claimant(s) (including ref)	
Defendant(s) (including ref)	
Date	
Party returning this form	

Disclosure Statement of (Claimant)(Defendant)

1. (I/We), (name(s)) state that (I/we) have carried out a reasonable search to locate all the documents which (I am *or* _____ *here name the party* is) required to disclose under (the order made by the court *or* the agreement in writing made between the parties on) *(insert date)* _____

2. The extent of the search that (I/we) made to locate documents that (I am *or* _____ *here name the party* is) required to disclose was as follows:

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3. (I/We) limited the search in the following respects:-

☐ I did not search for documents:-

☐ pre-dating

☐ located elsewhere than

☐ in categories other than

☐ for electronic documents

☐ I carried out a search for electronic documents contained on or created by the following:
(list what was searched and extent of search)

☐ I did not search for the following:-

☐ documents created before

documents contained on or created by the ☐ Claimant ☐ Defendant

☐ PCs
☐ portable data storage media
☐ databases
☐ servers
☐ back-up tapes
☐ off-site storage
☐ mobile phones
☐ laptops
☐ notebooks
☐ handheld devices
☐ PDA devices

documents contained on or created by the ☐ Claimant ☐ Defendant

☐ mail files
☐ document files
☐ calendar files
☐ web-based applications
☐ spreadsheet files
☐ graphic and presentation files

documents other than by reference to the following keyword(s)/concepts
(delete if your search was not confined to specific keywords or concepts)

4. The facts considered in arriving at the decision that it was reasonable to limit the search in the respects identified above were as follows
(the facts must be set out in detail: see paragraph E3.6 of the Circuit Commercial Court Guide):

5. (I/We) certify that (I/we) understand the duty of disclosure and to the best of (my/our) knowledge (I have *or* _____ *here name the party* has) carried out that duty. (I/We) further certify that the list above is a complete list of all documents which are or have been in (my *or* _____ *here name the party's*) control which (I am *or here name the party* is) obliged under (the said order *or* the said agreement in writing) to disclose.

6. (I *or* _____ *here name the party*) understand(s) that (I *or* _____ *here name the party*) must inform the court and the other parties immediately if any further documents required to be disclosed by Rule 31.6 comes into (my *or* _____ *here name the party's*) control at any time before the conclusion of the case.

7. ((I *or* _____ *here name the party*) (have/has) not permitted inspection of documents within the category or class of documents (as set out below) required to be disclosed under Rule 31(6)(b) or (c) on the grounds that to do so would be disproportionate to the issues in the case.

Signed _____ **Date** _____

Name(s) _____

Position or office held _____

Please state why you are the appropriate person(s) to make the disclosure statement.

List and number here, in a convenient order, the documents (or bundles of documents if of the same nature, e.g. invoices) in your/the claimant's/the defendant's control, which you/the claimant/ the defendant do/does not object to being inspected. Give a short description of each document or bundle so that it can be identified, and say if it is kept elsewhere i.e. with a bank or solicitor

A. (I)(The claimant)(The defendant) (have/has) control of the documents numbered and listed here. (I)(the claimant)(the defendant) (do not)(does not) object to you inspecting them/producing copies.

List and number here, as above, the documents in the claimant's/the defendant's control which the claimant/the defendant objects to being inspected. (Rule 31.19)

B. (I)(The claimant)(The defendant) (have)(has) control of the documents numbered and listed here, but (I)(the claimant)(the defendant) (object)(objects) to you inspecting them:

Say what the claimant's/the defendant's objections are

(I)(The claimant)(The defendant) (object)(objects) to you inspecting these documents because:

List and number here, the documents the claimant/the defendant once had in his/her/its control, but which the claimant/the defendant no longer has. For each document listed, say when it was last in the claimant's/the defendant's control and where it is now.

C. (I)(The claimant)(The defendant) (have)(had) the documents numbered and listed below, but they are no longer in (my)(the claimant's)(the defendant's) control.