

**59. Use of depositions taken at public examinations**

Where in the course of the proceedings in a winding up by the court an order has been made for the public examination of persons named in the order pursuant to section 286A of the Ordinance, then in any proceedings subsequently instituted under any of the provisions of the Ordinance or the Companies Ordinance (Cap. 622) mentioned in rule 58(1), the signed notes of the examination of each person who was examined under the order shall, subject as hereinafter mentioned, and to any order or directions of the court as to the manner and extent in and to which the notes shall be used, and subject to all just exceptions to the admissibility in evidence against any particular person or persons of any of the statements contained in the notes of the examinations, be admissible in evidence against any of the persons against whom the application is made, who, under section 286A of the Ordinance, and the order for the public examination, was or had the opportunity of being present at and taking part in the examination: *(28 of 2012 ss. 912 & 920; 14 of 2016 s. 145)*

Provided that before any such notes of a public examination shall be used on any such application, the person intending to use the same shall, not less than 15 days before the day appointed for hearing the application, give notice of such intention to each person against whom it is intended to use such notes, or any of them, specifying the notes or parts of the notes which it is intended to read against him, and furnish him with copies of such notes, or parts of notes (except notes of the person's own depositions), and provided also that every person against whom the application is made shall be at liberty to cross-examine or re-examine (as the case may be) any person the notes of whose examination are read, in all respects as if such person had made an affidavit on the application.