**Section 130.1116 Examination of Witnesses**

a) A party may conduct examinations or cross-examinations without rigid adherence to formal rules of evidence, in order to obtain a full and fair disclosure of facts bearing upon matters in issue, in accordance with Section 12 of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1012).

b) If the hearing officer determines that a witness is hostile or unresponsive, the hearing officer may authorize the examination by the party calling him or her as if under cross-examination in accordance with Impeachment of Witnesses – Hostile Witness (Ill. Rev. Stat. 1987, ch. 110A, par. 238(b)).

c) The Securities Department may call any adverse party as a witness without vouching for his or her credibility and proceed to examine such adverse party as if under cross-examination. Any party calling a witness, upon a showing that he or she called the witness in good faith and is surprised by his or her testimony, may impeach that witness by evidence of prior inconsistent statements in accordance with Impeachment of Witnesses – Hostile Witness (Ill. Rev. Stat. 1987, ch. 110A, par. 238(b)).

d) Oral evidence shall be taken only on oath or affirmation.

(Source: Added at 14 Ill. Reg. 5188, effective March 26, 1990)