

TERRORIST ASSET-FREEZING ETC. ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 1 – Terrorist Asset-Freezing

Chapter 4 – Supplementary Provisions

Supervision of exercise of powers

Section 29 – Initial exercise of powers to make rules of court

75. **Section 29** allows the Lord Chancellor, the first time the power under section 28(4) is used, to exercise it to make rules of court in relation to England and Wales and Northern Ireland for proceedings on an appeal under section 26. The Lord Chancellor must consult the Lord Chief Justice of England and Wales or, where appropriate, the Lord Chief Justice of Northern Ireland, before making such rules, but this requirement may be satisfied by consultation that takes place before commencement (*subsection (5)*). These rules will come into effect when laid but will cease to have effect 40 days after being laid unless they have been approved by a resolution of each House of Parliament during that period. *Subsection (9)* disapplies some of the usual procedures for the making of rules in England and Wales and in Northern Ireland, in relation to the rules made by the Lord Chancellor. *Subsection (10)* provides that section 4(1) of the Statutory Instruments Act 1946 applies to court rules made for Northern Ireland by the Lord Chancellor.