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STATUTORY INSTRUMENTS

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**1998 No. 3132**

The Civil Procedure Rules 1998

PART 33

MISCELLANEOUS RULES ABOUT EVIDENCE

[<sup>F1</sup>Human Rights

**33.9.**—(1) This rule applies where a claim is—

- (a) for a remedy under section 7 of the Human Rights Act 1998 in respect of a judicial act which is alleged to have infringed the claimant's Article 5 Convention rights; and
- (b) based on a finding by a court or tribunal that the claimant's Convention rights have been infringed.

(2) The court hearing the claim—

- (a) may proceed on the basis of the finding of that other court or tribunal that there has been an infringement but it is not required to do so, and
- (b) may reach its own conclusion in the light of that finding and of the evidence heard by that other court or tribunal.]

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**Textual Amendments**

**F1** [Rule 33.9](#) inserted (2.10.2000) by [The Civil Procedure \(Amendment No. 4\) Rules 2000 \(S.I. 2000/2092\)](#), rules 1, **15**

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 33.9.