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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

[<sup>F1</sup>PART 76

PROCEEDINGS UNDER THE PREVENTION OF TERRORISM ACT 2005

*SECTION 3*

*Permission applications, references and appeals to the  
High Court relating to non-derogating control orders*

[<sup>F1</sup>**Directions for hearing on application for permission or on a reference**

**76.10.**—(1) This rule applies where the court gives directions under section 3(2)(c) or (6)(b) or (c) of the Act.

(2) The court must immediately—

(a) fix a date, time and place for a further hearing at which the controlled person, his legal representative and a special advocate (if one has been appointed) can be present; and

[<sup>F2</sup>(b) unless the court otherwise directs—

(i) in the case of directions given under section 3(2)(c), that date must be no later than 7 days from the date on which the notice of the terms of the control order is delivered to the controlled person in accordance with section 7(8) of the Act; or

(ii) in the case of directions given under section 3(6)(b) or (c), that date must be 7 days from the date on which the court's determination on the reference is made.]

(3) At the hearing referred to in paragraph (2), the court must give directions—

(a) for a hearing under section 3(10); and

(b) specifying the date and time by which the parties and special advocate must file and serve any written evidence or written submissions in accordance with rule 76.30.

(4) When giving directions under paragraph (3), the court must have regard to the need to expedite that hearing.

(Rules 76.28 and 76.29 will apply where any closed material is filed by the Secretary of State.)]

**Textual Amendments**

**F1** Pt. 76 inserted (14.3.2005) by [The Civil Procedure \(Amendment No. 2\) Rules 2005 \(S.I. 2005/656\)](#), rule 1, [Sch.](#)

**F2** [Rule 76.10\(2\)\(b\)](#) substituted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), [16\(a\)](#)

**Status:**

Point in time view as at 05/10/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 76.10.