

STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 79

**[^{F1}PROCEEDINGS UNDER THE COUNTER-TERRORISM ACT 2008, PART
1 OF THE TERRORIST ASSET-FREEZING ETC. ACT 2010 AND PART
1 OF THE SANCTIONS AND ANTI-MONEY LAUNDERING ACT 2018]**

SECTION 2

*[^{F1}APPLICATION TO SET ASIDE FINANCIAL RESTRICTIONS DECISIONS UNDER THE
2008 ACT OR THE 2010 ACT AND SANCTIONS DECISIONS UNDER THE 2018 ACT.]*

[^{F1}Filing and service of evidence

79.12.—(1) Where the claimant wishes to rely on evidence in support of the application to set aside the financial restrictions decision [^{F2}or sanctions decision] and—

- (a) such evidence was not filed with the court with the claim form; or
- (b) such evidence was filed with the court with the claim form but the claimant wishes to rely on further evidence,

the claimant must file and serve that evidence, including any witness statement, on [^{F3}the appropriate Minister] and any special advocate.

(2) Where the claimant serves evidence in support of the application, [^{F3}the appropriate Minister] must file and serve, subject to paragraph (3), any further evidence, including any witness statement, on the claimant and any special advocate.

(3) Where [^{F3}the appropriate Minister][^{F4}seeks] to withhold disclosure of any closed material from the claimant and the claimant's legal representative, [^{F3}the appropriate Minister] must make an application in accordance with rule 79.25.

(4) [^{F3}the appropriate Minister] must serve any closed material upon the special advocate.

(5) The parties and, where relevant, any special advocate must file and serve any further evidence, including witness statements, written submissions or skeleton arguments as directed by the court.]

Textual Amendments

F1 Pt. 79 inserted (4.12.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2008 \(S.I. 2008/3085\)](#), rule 1, **Sch.**

F2 Words in rule 79.12(1) inserted (1.3.2019) by [The Civil Procedure \(Amendment\) \(EU Exit\) Rules 2019 \(S.I. 2019/147\)](#), rules 1, **3(10)(b)**

F3 Words in rule 79.12 substituted (1.3.2019) by [The Civil Procedure \(Amendment\) \(EU Exit\) Rules 2019 \(S.I. 2019/147\)](#), rules 1, **3(10)(a)**

Changes to legislation: There are currently no known outstanding effects for the
The Civil Procedure Rules 1998, Section 79.12. (See end of Document for details)

F4 Word in rule 79.12(3) substituted (1.3.2019) by The Civil Procedure (Amendment) (EU Exit) Rules 2019 (S.I. 2019/147), rules 1, **3(10)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 79.12.