

STATUTORY INSTRUMENTS

**1998 No. 3132**

The Civil Procedure Rules 1998

[<sup>F1</sup>PART 79

[<sup>F1</sup>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 4

GENERAL PROVISIONS [<sup>F1</sup>APPLICABLE TO SECTIONS 2 AND 3 OF THIS PART]

[<sup>F1</sup>Modification of the general rules of evidence and disclosure

**79.22.**—(1) Part 31 (disclosure and inspection of documents), Part 32 (evidence) and Part 33 (miscellaneous rules about evidence) do not apply to any proceedings to which [<sup>F2</sup>Section 2 or 3 of] this Part applies.

(2) Subject to the other rules in [<sup>F3</sup>Section 2, 3 and this Section of] this Part and to any directions of the court, the evidence of a witness may be given either—

- (a) orally before the court; or
- (b) in a witness statement.

(3) The court may also receive evidence in documentary or any other form.

(4) A party is entitled to adduce evidence and to cross-examine witnesses during any part of a hearing from which a party and that party's legal representative are not excluded.

[  
<sup>F4</sup>(4A) A special advocate is entitled to adduce evidence and to cross-examine witnesses.]

(5) The court may require a witness to give evidence on oath or by affirmation.]

**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 79.22(1) inserted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), [18\(f\)\(i\)](#)
- F3** Words in rule 79.22(2) inserted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), [18\(f\)\(ii\)](#)
- F4** Rule 79.22(4A) inserted (1.10.2009) by [The Civil Procedure \(Amendment\) Rules 2009 \(S.I. 2009/2092\)](#), rules 1(2), [18\(f\)\(iii\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 79.22.