
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 88

PROCEEDINGS UNDER THE COUNTER-
TERRORISM AND SECURITY ACT 2015

SECTION IV

General provisions

[^{F1}**Appointment of a special advocate**

88.22.—(1) Subject to paragraph (2), the Secretary of State must immediately give notice of the proceedings to the Attorney General (who, under paragraph 10(1) of Schedule 3 to the Act, has the power to appoint a special advocate), on—

- (a) making an application under section 3(1)(b) of the Act (application for permission to impose a TEO);
- (b) making a reference under paragraph 3(1) of Schedule 2 to the Act (reference of urgent TEO imposed without permission); or
- (c) being served with a copy of any applications, claim or notice of appeal in proceedings to which this Part applies.

(2) Paragraph (1) applies unless—

- (a) the Secretary of State does not intend to—
 - (i) oppose the application, claim or appeal; or
 - (ii) withhold closed material from a relevant party; or
- (b) a special advocate has already been appointed to represent the interests of the relevant party in the proceedings and that special advocate is not prevented from communicating with that party by virtue of rule 88.24 (special advocate: communicating about proceedings).

(3) Where any proceedings to which this Section applies are pending but no special advocate has been appointed, a relevant party or the Secretary of State may request that the Attorney General appoint a special advocate.]

Textual Amendments

- F1** Pt. 88 inserted (27.2.2015) by [The Civil Procedure \(Amendment\) Rules 2015 \(S.I. 2015/406\)](#), rule 1, Sch.

Status:

Point in time view as at 01/10/2017.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 88.22.