
STATUTORY INSTRUMENTS

2002 No. 1844 (L. 8)

SUPREME COURT OF ENGLAND AND WALES

Court of Appeal (Appeals from Pathogens
Access Appeal Commission) Rules 2002

Made - - - - - *16th July 2002*
Coming into force - - - *23rd July 2002*

Whereas a draft of these Rules has been laid before, and approved by resolution of, each House of Parliament;

Now, therefore, the Lord Chancellor, in exercise of the powers conferred on him by paragraph 5 of Schedule 6 to the Anti-terrorism, Crime and Security Act 2001⁽¹⁾, hereby makes the following Rules:

Citation, commencement and extent

1.—(1) These Rules may be cited as the Court of Appeal (Appeals from Pathogens Access Appeal Commission) Rules 2002.

(2) These Rules shall come into force on the expiry of one week beginning with the day on which they are made.

(3) These Rules shall not extend to Scotland or Northern Ireland.

Interpretation

2. In these Rules “the court” means the Court of Appeal.

Application of these Rules

3. These Rules apply to any appeal to the court from a determination by the Pathogens Access Appeal Commission of an appeal under section 70(4) of the Anti-terrorism, Crime and Security Act 2001.

(1) 2001 c. 24.

Non-disclosure of certain information and exclusion of parties

4.—(1) The court must secure that information is not disclosed contrary to the interests of national security, the international relations of the United Kingdom, the detection and prevention of crime, or in any other circumstances when disclosure is contrary to the public interest.

(2) In particular, the court may order the exclusion of any party, including that party's representative, from all or part of the proceedings before the court.

(3) The power conferred by paragraph (2) does not apply to the Secretary of State or his representative.

16th July 2002

Irvine of Lairg, C

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules apply to proceedings before the Court of Appeal on an appeal from the Pathogens Access Appeal Commission (“the Commission”).

The Secretary of State may, under section 64 of the Anti-terrorism, Crime and Security Act 2001 (“the Act”) give directions to the occupier of any premises in which dangerous substances (within the meaning of section 58(4) of the Act) are kept requiring him not to give access to the person identified in the directions. Any person aggrieved by such directions may appeal to the Commission. A party to such an appeal may bring a further appeal on a question of law to the Court of Appeal with the permission of the Commission or the Court of Appeal.

Rule 4 requires that the Court of Appeal must secure that information is not disclosed contrary to the interests of national security. In this context, rule 4(2) enables the Court to exclude any party (other than the Secretary of State) and his representative from the proceedings on the appeal.