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STATUTORY INSTRUMENTS

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**2004 No. 2072**

The Civil Procedure (Amendment No.2) Rules 2004

9. After rule 23.11 insert—

**“Dismissal of totally without merit applications**

**23.12.** If the court dismisses an application and it considers that the application is totally without merit—

- (a) the court’s order must record that fact; and
- (b) the court must at the same time consider whether it is appropriate to make a civil restraint order.”.

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**Commencement Information**

**II** Rule 9 in force at 1.10.2004, see [rule 1\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure (Amendment No.2) Rules 2004, Section 9.