



# Justice and Security Act 2013

## 2013 CHAPTER 18

### PART 2

#### DISCLOSURE OF SENSITIVE MATERIAL

##### *Closed material procedure: general*

#### **11 General provision about section 6 proceedings**

- (1) A person making rules of court relating to section 6 proceedings must have regard to the need to secure that disclosures of information are not made where they would be damaging to the interests of national security.
- (2) Rules of court relating to section 6 proceedings may make provision—
  - (a) about the mode of proof and about evidence in the proceedings,
  - (b) enabling or requiring the proceedings to be determined without a hearing,
  - (c) about legal representation in the proceedings,
  - (d) enabling the proceedings to take place without full particulars of the reasons for decisions in the proceedings being given to a party to the proceedings (or to any legal representative of that party),
  - (e) enabling the court concerned to conduct proceedings in the absence of any person, including a party to the proceedings (or any legal representative of that party),
  - (f) about the functions of a person appointed as a special advocate,
  - (g) enabling the court to give a party to the proceedings a summary of evidence taken in the party's absence.
- (3) In subsection (2) references to a party to the proceedings do not include the relevant person concerned and (if the Secretary of State is not the relevant person but is a party to the proceedings) the Secretary of State.
- (4) The following proceedings are to be treated as section 6 proceedings for the purposes of sections 8 to 10, this section and sections 12 to 14—

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**Changes to legislation:** Justice and Security Act 2013, Section 11 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (a) proceedings on, or in relation to, an application for a declaration under section 6,
  - (b) proceedings on, or in relation to, a decision of the court to make a declaration under that section of its own motion,
  - (c) proceedings on, or in relation to, an application for a revocation under section 7, and
  - (d) proceedings on, or in relation to, a decision of the court to make a revocation under that section of its own motion.
- (5) In proceedings treated as section 6 proceedings by virtue of subsection (4), a relevant person, for the purposes of sections 8 to 10, this section and sections 12 to 14, is a person who would be required to disclose sensitive material in the course of the proceedings.

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**Commencement Information**

**II** S. 11 in force at 25.6.2013 by S.I. 2013/1482, art. 2 (with arts. 3, 4)

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**Changes and effects yet to be applied to :**

- s. 8-14 applied (with modifications) by [2023 c. 41 Sch. 6 para. 12](#)