

Changes to legislation: There are currently no known outstanding effects for the National Security Act 2023, Paragraph 10. (See end of Document for details)

SCHEDULES

SCHEDULE 10

PROCEEDINGS RELATING TO PREVENTION AND INVESTIGATION MEASURES

Appointment of special advocate

- 10 (1) The appropriate law officer may appoint a person to represent the interests of a party in any relevant proceedings or appeal proceedings from which the party (and any legal representative of the party) is excluded.
- (2) A person appointed under [sub-paragraph \(1\)](#) is referred to in [this Schedule](#) as appointed as a “special advocate”.
- (3) The “appropriate law officer” is—
- (a) in relation to proceedings in England and Wales, the Attorney General;
 - (b) in relation to proceedings in Scotland, the Advocate General for Scotland;
 - (c) in relation to proceedings in Northern Ireland, the Advocate General for Northern Ireland.
- (4) A person appointed as a special advocate is not responsible to the party to the proceedings whose interests the person is appointed to represent.
- (5) A person may be appointed as a special advocate only if—
- (a) in the case of an appointment by the Attorney General, the person has a general qualification for the purposes of section 71 of the Courts and Legal Services Act 1990;
 - (b) in the case of an appointment by the Advocate General for Scotland, the person is an advocate or a solicitor who has rights of audience in the Court of Session or the High Court of Justiciary by virtue of section 25A of the Solicitors (Scotland) Act 1980;
 - (c) in the case of an appointment by the Advocate General for Northern Ireland, the person is a member of the Bar of Northern Ireland.

Commencement Information

- I1** Sch. 10 para. 10 not in force at Royal Assent, see 100(1)
- I2** [Sch. 10 para. 10](#) in force at 20.12.2023 by [S.I. 2023/1272](#), [reg. 2\(b\)](#)

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