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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 428**

**Magistrates' Courts (Amendment)  
Rules (Northern Ireland) 1997**

**New Section I in Part III of the principal Rules**

**8.** In Part III of the principal Rules after section “H” there shall be added the following new section—

“I

*Road Traffic Offenders (Northern Ireland) Order 1996*

**Applications under Article 37(6) and (7) of the Road Traffic Offenders (Northern Ireland) Order 1996**

**52A.**—(1) In this rule and Rules 52B and 52C—

- (a) “the Offenders Order” means the Road Traffic Offenders (Northern Ireland) Order 1996;
- (b) “course organiser” and “supervising court” have the meanings assigned to them by Article 38(2) of the Offenders Order.

(2) An application to the supervising court under Article 37(6) or (7) of the Offenders Order shall be made in Form 122 within 28 days of the date specified in the order under Article 36(2) of the Offenders Order in respect of the applicant’s period of disqualification.

(3) The application shall be served on the clerk of petty sessions and on the course organiser and in the case of an application under Article 37(6) of the Offenders Order shall be accompanied by the notice under Article 37(5) of the Offenders Order.

(4) On being served with such an application, the clerk of petty sessions shall fix a date and time for the hearing of the application and notify the applicant and course organiser of the date and time so fixed.

(5) If the applicant or the course organiser fails to appear or be represented at the hearing of the application without reasonable excuse, the court may adjourn the hearing or decide the application in his absence.

**Notice of order under Article 27 of the Offenders Order**

**52B.** Where the court makes an order under Article 27 of the Offenders Order that a defendant shall inform the court of his date of birth or sex or both and the defendant is not present in court, the clerk of petty sessions shall serve notice of that order on the defendant in Form 123.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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### **Application for removal of disqualification**

**52C.**—(1) Part VII of the Order and Part V of these Rules shall apply to an application under Article 47 of the Offenders Order for an order removing a disqualification for holding or obtaining a licence.”.