

SCHEDULE

Amendments and repeals: Abolition of
preliminary investigations and mixed committals*The Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)*

8.—(1) The following provisions are repealed—

- (a) in Article 2(3), in the definition of “summary proceeding”, the words “a preliminary investigation or” and “investigation or”;
- (b) in Article 16(1)(a) the words “or a preliminary investigation”;
- (c) Article 31.

(2) In Article 32(1) for the words from the beginning to “together with” in subparagraph (a) substitute—

“(1) Where a preliminary inquiry into an indictable offence is to be held by a magistrates’ court, the prosecution shall—

- (a) send”.

(3) The following provisions are repealed—

- (a) in Article 32(1)(b) the words “a copy of that notice together with”;
- (b) Article 32(3) and (4)(a);
- (c) in Article 33(1) the words “to the like extent as oral evidence to the like effect by that person”;
- (d) in Article 35 the words “a preliminary investigation or” and “investigation or”;
- (e) Article 37(1);
- (f) in Article 37(5) the words “investigation or”;
- (g) in Article 39(1) the words “investigation or”;
- (h) in Article 42(1) the words from “or the deposition taken” to “on his behalf”;
- (i) in Article 42(3) the words “(other than a statement which is to be disregarded under Article 34(2))”;
- (j) in Article 44(1) and (2) the words “investigation or”;
- (k) in Article 46(1) the words “whether any evidence shall then have been given or not”;
- (l) in Article 46(2) the words “depositions shall be taken or, as the case may require,”;
- (m) in Schedule 4 in paragraphs 1 and 3 the words “the preliminary investigation or”;

(n) in Schedule 5, paragraph 3.