
STATUTORY INSTRUMENTS

1981 No. 1675

The Magistrates' Courts (Northern Ireland) Order 1981

PART XIII

GENERAL

Representation

Appearance by counsel or solicitor

164.—(1) A party to any proceedings before a magistrates' court may be represented by counsel or solicitor; and an absent party so represented shall, except where any provision in any enactment (including this Order) or any condition of a recognizance expressly requires his presence, be deemed not to be so absent.

(2) Where a magistrates' court is satisfied that a party to proceedings is unable through illness or other reasonable cause to appear, the court may grant special leave to the father, son, mother, daughter,^{F1} spouse, civil partner], brother or sister of such party to appear and be heard.

(3) For the purposes of paragraph (1), counsel or solicitor shall be construed subject to Article 5 of the European Communities (Services of Lawyers) Order 1978^{F2}.

F1 2004 c. 33 (amending legislation states to subst. these words in para. (3) not (2)).

F2 SI 1978/1910

Conduct of proceedings by police officer

165. Where in proceedings before a magistrates' court the complainant is a member of the Royal Ulster Constabulary, the court may allow a member of the Royal Ulster Constabulary not below the rank of Inspector to conduct proceedings on behalf of the complainant.

Corporations

166. The provisions of Schedule 4 shall apply where a corporation is charged with an indictable offence before a magistrates' court.

Modifications etc. (not altering text)

C1 [Art. 166](#) applied (20.1.2007 for certain purposes, 6.4.2007 for certain purposes, 1.10.2007 for certain purposes, 6.4.2008 for certain purposes, 1.10.2008 for certain purposes, otherwise 1.10.2009) by [Companies Act 2006 \(c. 46\)](#), [ss. 1130\(2\)\(b\)\(iii\)](#), [1300\(2\)](#) (with [s. 1133](#)); [S.I. 2006/3428](#), [art. 3\(2\)\(b\)](#) (subject to [art. 5](#), [Sch. 1](#) and with [arts. 6,8](#), [Sch. 5](#)); [S.I. 2007/1093](#), [art. 2\(2\)\(c\)](#) (with [art. 11\(1\)](#)); [S.I. 2007/2194](#), [art. 2\(1\)\(l\)\(3\)\(h\)](#) (with [art. 12](#)); [S.I. 2007/3495](#), [arts. 3\(3\)\(g\)](#), [5\(3\)\(a\)](#) (with [arts. 7, 12](#)); [S.I. 2008/2860](#), [art. 3\(s\)](#) (with [art. 8](#))

Status: Point in time view as at 06/07/2020.

Changes to legislation: The Magistrates' Courts (Northern Ireland) Order 1981, Cross Heading: Representation is up to date with all changes known to be in force on or before 24 July 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)

- C2** Art. 166 applied (6.4.2008) by Companies Act 2006 (c. 46), **ss. 1257(4)**, 1300(2); S.I. 2007/3495, **art. 3(1)(u)** (with arts. 7, 12)
- C3** Art. 166 applied (31.3.2010) by Horse Passports Regulations (Northern Ireland) 2010 (S.R. 2010/40), **reg. 22(2)(b)**
- C4** Art. 166 applied (31.1.2016) by The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015 (S.R. 2015/425), regs. 1(1), **27(5)(b)** (with reg. 29)
- C5** Art. 166 applied (13.7.2016) by The Financial Services and Markets Act 2000 (Transparency of Securities Financing Transactions and of Reuse) Regulations 2016 (S.I. 2016/715), regs. 1(2), **27(4)(c)**
- C6** Art. 166 applied (29.3.2019) by The Equine Identification Regulations (Northern Ireland) 2019 (S.R. 2019/67), regs. 1, **20(2)(b)**
- C7** Art. 166 applied (6.7.2020 at 1.00 p.m.) by The Global Human Rights Sanctions Regulations 2020 (S.I. 2020/680), regs. 1(2), **35(3)(b)(ii)**

Status:

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