
STATUTORY RULES OF NORTHERN IRELAND

1984 No. 225

Magistrates' Courts Rules (Northern Ireland) 1984

PART V

Appeals or Applications commenced by Notice under Part VII of the Order

Signature on notice

97. A notice under Part VIII of the Order shall be signed by the appellant or applicant or by his solicitor or firm of solicitors, or in the name of the appellant or applicant or of such solicitor or firm of solicitors by some person duly authorised so to sign.

Time of service of notice

98.—(1) Subject to Article 76(5) of the Order, a notice under Part VII thereof shall be served on the other party to the proceedings at least fourteen days and on the clerk of petty sessions at least seven days before the hearing of the appeal or application.

(2) The notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which notice was served on the other party to the proceedings.

(3) Without prejudice to the provisions of any enactment providing for the time within which an appeal may be made to a court of summary jurisdiction the court shall not hear and determine such appeal unless a notice under Part VII of the Order is served under paragraph (1) upon the other party to the proceedings from which the appeal is brought within three months after the making of the decision or determination appealed from has been notified to the appellant.

Copy of decision or determination appealed from to be lodged

99. A copy of the decision or determination from which an appeal is brought shall be lodged with the clerk of petty sessions by the appellant at least seven days before the hearing of the appeal.

Manner of service of notice

100. A notice under Part VII of the Order may be served by the appellant or applicant or any person authorised by him to serve such notice in accordance with section 24(2) of the Interpretation Act (Northern Ireland) 1954(1).

Times of hearing of appeals or applications

101.—(1) The hearing of appeals or applications shall be at such sittings of the court as from time to time may be directed by the resident magistrate acting for the petty sessions district in which the hearing is to take place.

Status: This is the original version (as it was originally made).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

(2) The court may, notwithstanding that Rule 98(1) or 99 has not been complied with, order, upon such terms as it thinks fit, that the appeal or application shall be heard.