

STATUTORY RULES OF NORTHERN IRELAND

2001 No. 250

CRIMINAL PROCEDURE, NORTHERN IRELAND

**The Criminal Appeal (Amendment) (Northern Ireland)
Rules 2001**

Made 22nd June 2001

Coming into operation 16th July 2001

To be laid before Parliament

We, the Northern Ireland Supreme Court Rules Committee, being the authority for the time being having power under section 55 of the Judicature (Northern Ireland) Act 1978(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby with the concurrence of the Lord Chancellor, exercise those powers and all other powers enabling us in that behalf as follows:—

Citation and commencement

1. These Rules may be cited as the Criminal Appeal (Amendment) (Northern Ireland) Rules 2001 and shall come into operation on 16th July 2001.

Amendment of the Criminal Appeal Rules

2. The Criminal Appeal (Northern Ireland) Rules 1968(b) shall be amended as follows—

(a) in Rule 2(1), by substituting for the words “the Registrar” to “under the Act;”, the following—

“ “the proper officer” means the Master (Queen’s Bench and Appeals) and includes any other officer of the Supreme Court directed by the Lord Chief Justice to exercise the powers and duties of the Master (Queen’s Bench and Appeals) under the Act;”;

(b) in Rules 3 to 38 and in the Schedule, by substituting for any reference to “the Registrar” wherever it appears, a reference to “the proper officer”;

(c) in Rule 5(2)(ab), by substituting for the words “sub-paragraph (a)(i)”, the words “sub-paragraph (aa)(i)”;

(d) in Rule 21,

(i) by revoking sub-paragraph (d) of paragraph (1);

(a) 1978 c. 23

(b) S.R. & O. (N.I.) 1968 No. 218; to which the most recent relevant amendment was made by S.R. 2000 No. 387

- (ii) by inserting after paragraph (1), the following new paragraph—
- “(1A) Where the final determination relates to an application for a declaration of incompatibility under section 4 of the Human Rights Act 1998, the proper officer shall serve a copy of the declaration on—
- (a) any other party to the proceedings not referred to in paragraph (1)(a)-(c) above; and
 - (b) where a Minister of the Crown, Northern Ireland Department or other person entitled under section 5(2) of the Human Rights Act 1998 to be joined as a party, has not been so joined, the Crown in accordance with Rule 20A(2) above.”.

Dated 6th June 2001

R. D. Carswell
Anthony Campbell
Brian Kerr
Hugh P. Kennedy
Caroline McGonagle
Tony Caher

I concur

Irvine of Lairg, C.

Dated 22nd June 2001

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the Criminal Appeal (Northern Ireland) Rules 1968 to make corrections to the provisions which apply where issues under the Human Rights Act 1998 arise in criminal appeal proceedings in the Court of Appeal.

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