

**2009 No. 209**

**SUPREME COURT, NORTHERN IRELAND**

**PROCEDURE**

**The Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2009**

|                                     |         |                       |
|-------------------------------------|---------|-----------------------|
| <i>Made</i>                         | - - - - | <i>20th May 2009</i>  |
| <i>Coming into operation</i>        | -       | <i>30th June 2009</i> |
| <i>To be laid before Parliament</i> |         |                       |

The Northern Ireland Supreme Court Rules Committee makes the following Rules in exercise of the powers conferred by sections 55 and 55A of the Judicature (Northern Ireland) Act 1978(a).

**Citation and commencement**

1. These Rules may be cited as the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2009 and shall come into operation on 30th June 2009.

**Amendments**

2. The Schedule to the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) Rules (Northern Ireland) 2008(b) shall be amended by substituting for Form 4, the new Form 4 set out in the Schedule to these Rules.

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(a) 1978 c.23. to which the most recent relevant amendment was made by paragraphs 29 and 30 of Schedule 5 to the Constitutional Reform Act 2005 (c.4).  
(b) S.R. 2008 No.23.

*Brian Kerr  
Patrick Coghlin  
Declan Morgan  
John Gillen  
Tony Caher*

Dated 13th May 2009

Signed by the authority of the Lord Chancellor

In exercise of the powers conferred by section 55A (3) of the Judicature (Northern Ireland) Act 1978, I allow these Rules.

*Bridget Prentice*  
Parliamentary Under-Secretary of State  
Ministry of Justice

Dated 20th May 2009

# SCHEDULE

Rule 2

“Form 4

Rule 9

## PART A

### DETERMINATION BY A SINGLE JUDGE

(Section 74(8) of the Serious Organised Crime and Police Act 2005)  
(Article 31 of the Serious Organised Crime and Police Act 2005 (Appeals under section 74) Order 2006)

| <i>Details Required</i>   | <i>Notes</i>  |
|---|---|
| <p><b>1. Details of the applicant:</b></p> <p>Name:</p> <p>Address:</p>   | <p><i>In the case of a defendant in custody, the prison number and address of the establishment in which the defendant is detained.</i></p> |
| <p><b>2. Application considered by single judge:</b></p> <p><input type="checkbox"/> Application for leave to appeal;</p> <p><input type="checkbox"/> Application for extension of time for service of notice of application for leave to appeal;</p> <p><input type="checkbox"/> Application for an order to allow the offender to be present at the proceedings;</p> <p><input type="checkbox"/> Application for an order that a witness attend for examination;</p> <p><input type="checkbox"/> Application to the Court to exercise powers conferred by Article 25 (bail);</p> <p><input type="checkbox"/> Application for an order for the production of documents etc under Article 28(1)(a);</p> <p><input type="checkbox"/> Application for directions under Article 30(1) (effect of appeal on sentence);</p> <p><input type="checkbox"/> Application to grant legal aid.</p> <p><i>(tick where appropriate)</i></p> |   |

|                    |   |
|--------------------|---|
| <b>3. Decision</b> | <i>If an application has been determined by a Judge, an aggrieved party may have the application determined by the Court by <u>filling in Part B of this form and returning the form to the Master.</u></i> |
|--------------------|---|

Dated this                      day of                      20                      .

Master (High Court)



## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules amend the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2008 (S.R. 2008 No.23) by substituting Form 4 of the Rules. Part A of the substituted Form prescribes the form of notification of a determination by a single judge, of an application relating to the discounting of sentences of offenders offering assistance to prosecutors. Part B of the Form prescribes the form of application for determination by the Court of Appeal by parties aggrieved by the decision of a single judge.

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