
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 157

**The Cross-Border Mediation
Regulations (Northern Ireland) 2011**

Amendment of the Magistrates' Courts (Northern Ireland) Order 1981

9.—(1) The Magistrates' Courts (Northern Ireland) Order 1981(1) is amended in accordance with paragraphs (2) and (3).

(2) In Article 63 (1) for “this Article” substitute “this Article and Article 63A”.

(3) After Article 63 insert—

“Extension of time limit: mediation

63A.—(1) Paragraph (2) applies where—

- (a) there is mediation in relation to a relevant cross border dispute giving rise to debt proceedings; and
- (b) the period of 6 years referred to in Article 63(1) (“the limitation period”) would, apart from this Article, expire—
 - (i) in the period of 8 weeks after the date on which the mediation ends;
 - (ii) on the date on which the mediation ends; or
 - (iii) after the date on which all of the parties to the dispute agree to participate in the mediation but before the date on which the mediation ends.

(2) Where this paragraph applies, the limitation period is extended so that it expires on the date falling 8 weeks after the date on which the mediation ends.

(3) For the purposes of paragraph (1) and (2), a mediation in relation to a relevant cross-border dispute ends on the date of the first of these to occur—

- (a) all of the parties reach an agreement in resolution of the dispute;
- (b) all of the parties agree to end the mediation;
- (c) a party notifies all of the other parties of that party's withdrawal,
- (d) a period of 14 days expires after a request made by one party to another party for confirmation of whether the other party has withdrawn and the other party does not respond in that period, or
- (e) a period of 14 days expires after the date on which the mediator's tenure ends (by reason of death, resignation or otherwise) and a replacement mediator has not been appointed in that period.

(4) In this Article—

“the Directive” means Directive [2008/52/EC](#) of the European Parliament and of the Council of 21st May 2008 on certain aspects of mediation in civil and commercial matters;

“mediation” and “mediator” have the meanings given by Article 3 of the Directive; and
“relevant cross-border dispute” means a cross-border dispute within the meaning given by Article 2 of the Directive.”.