

2012 No. 431

COURT OF JUDICATURE, NORTHERN IRELAND

PROCEDURE

**The Rules of the Court of Judicature (Northern Ireland)
(Amendment No.3) 2012**

Made - - - - *30th November 2012*

Coming into operation - *1st January 2013*

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

Citation and Commencement

1. These Rules may be cited as the Rules of the Court of Judicature (Northern Ireland) (Amendment No.3) 2012 and come into operation on 1st January 2013.

Amendments to the Rules of the Court of Judicature (Northern Ireland) 1980(c)

2. In Order 79—

(1) In rule 11, omit, “, including bail under section 91 of the Justice Act (Northern Ireland) 2011,”; and

(2) After rule 11, insert—

“Recommittal in respect of order under section 91 of the Justice Act (Northern Ireland) 2011

11A. Where an application by the prosecutor or a surety for the review of an order under section 91 of the Justice Act (Northern Ireland) 2011 (power of a magistrates’ court to grant bail on compassionate grounds), the High Court decides to exercise its jurisdiction, the Court may, if it appears to it any of the grounds mentioned in rule 11 paragraphs (a) to (c) are satisfied, order that the person released on bail on foot of the order be recommitted to custody and issue a warrant for his arrest .”.

(a) The Northern Ireland Supreme Court Rules Committee was renamed the Northern Ireland Court of Judicature Rules Committee in accordance with section 59(3) of the Constitutional Reform Act 2005 (c.4).
(b) 1978 c.23; to which the most recent relevant amendments were made by paragraphs 29 and 30 of Schedule 5 to the Constitutional Reform Act 2005 (c.4).
(c) 1980 No.346 to which the most recent relevant amendment was made by S.R. 2012 No.272.

*Declan Morgan
F P Girvan
Bernard McCloskey
Ian Wimpres
Anthony Caher*

Dated 27th November 2012

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

Sealed with the Official Seal of the Department of Justice on 30th November 2012



David Ford
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Rules of the Court of Judicature (Northern Ireland) 1980 [S.R. 1980 No.346] to make it clear that the High Court may, where it decides to exercise its jurisdiction, enforce a breach of bail granted by the magistrates' courts under section 91 of the Justice Act (Northern Ireland) 2011.

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STATUTORY RULES OF NORTHERN IRELAND

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