

2016 No. 297

COURT OF JUDICATURE, NORTHERN IRELAND

CROWN COURT

The Crown Court (Amendment) Rules (Northern Ireland) 2016

Made - - - -

4th July 2016

Coming into operation in accordance with Rule 1

The Crown Court Rules Committee makes the following Rules in exercise of the powers conferred by sections 52(1) and 53A of the Judicature (Northern Ireland) Act 1978(a).

Citation, commencement and interpretation

1. These Rules shall be cited as the Crown Court (Amendment) Rules (Northern Ireland) 2016 and shall come into operation on the same day as section 1 of the Justice Act (Northern Ireland) 2015(b).

2. In these Rules “the principal Rules” means the Crown Court Rules (Northern Ireland) 1979(c), and a reference to a rule is a reference to that rule so numbered in the principal Rules.

Amendment to the principal Rules

3. The principal Rules are amended as follows—

(1) In rule 2(1) in the definition of “chief clerk”, omit “means the chief clerk of the Court at the place where a person is to be tried and”.

(2) In rule 47A(6)—

(a) for the definition of “county court division”, substitute ““division” means an administrative court division specified under section 2(2)(a) of the Justice Act (Northern Ireland) 2015 for all purposes of a county court or, if different administrative court divisions are specified for different purposes of a county court, an administrative court division specified under section 2(2)(c) of that Act for the residual purposes of the court”; and

(b) in the definition of “Juries Officer”, omit “county court”.

(3) In rule 54(2)(a), omit “of the county court division in which the material the subject of the order is situated”.

(a) 1978 c.23, to which the most recent relevant amendments were made by paragraphs 26 and 28 of the Constitutional Reform Act 2005 (c.4); paragraph 6 of Schedule 17 to, and paragraphs 14 and 26 of Schedule 18 to, the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/ 976); and paragraph 2 of the Schedule to the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13)

(b) 2015 c.9 (N.I.)

(c) S.R. 1979 No. 90, to which the most recent relevant amendments were made by S.R. 1999 No. 134, S.R. 2003 No.71, S.R. 2003 No. 279 and S.R. 2010 No. 133

(4) In rule 74—

for the definition of “the chief clerk” substitute ““the chief clerk” includes such other civil servant in the Department of Justice as may be authorised to act on his behalf for the purpose in question; and”; and

(a) omit the definition of “county court division”;

(5) In rule 100(1)(a), omit “for the county court division in which the material which is the subject of the production order is situated”.

(6) In rule 101(a), omit “for the county court division in which the applicant resides”.

(7) In rule 102(2)(a), omit “for the county court division in which the applicant resides or has its principal place of business in Northern Ireland”.

(8) In rule 103(1), omit “for the county court division of Belfast”.

(9) In rule 105(1), in the definition of “chief clerk”, omit “means the chief clerk for the county court division in which the property was seized and”.

Declan Morgan
David K McFarland
Gordon Kerr
Cathal McCorry
Joseph O’Keefe
Martin Rodgers

Dated 4th July 2016

In exercise of the powers conferred upon me by section 53A of the Judicature (Northern Ireland) Act 1978, I allow these Rules.

Sealed with the Official Seal of the Department of Justice on 19th July 2016



Claire Sugden
Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Crown Court Rules (Northern Ireland) 1979 (S.R. 1979 No. 90) to take account of Part 1 of the Justice Act (Northern Ireland) 2015 which creates a single jurisdiction for county courts and magistrates' courts whereby the jurisdiction and powers of those courts are exercisable throughout the whole of Northern Ireland.

© Crown copyright 2016

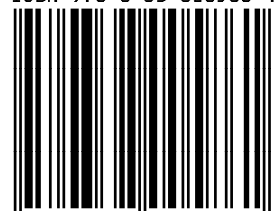
Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.25

NI2016072017 07/2016 19585

<http://www.legislation.gov.uk/id/nisr/2016/297>

ISBN 978-0-33-800586-1



9 780338 005861