

2016 No. 299

COURT OF JUDICATURE, NORTHERN IRELAND

PROCEDURE

**The Rules of the Court of Judicature (Northern Ireland)
(Amendment) 2016**

Made - - - -

4th July 2016

Coming into operation in accordance with Rule 1

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, commencement and interpretation

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

(2) In these Rules—

- (a) “the principal Rules” means the Rules of the Court of Judicature (Northern Ireland) 1980^(d); and
- (b) a reference to an Order, rule, Appendix or Form is a reference to that Order, rule, Appendix or Form so numbered in the principal Rules.

Amendments to the principal Rules

2. The principal Rules are amended as follows—

(1) In Order 95—

- (a) in rule 5(1), omit “of a county court division”; and
- (b) in rule 6(1), omit “of a county court”.

(2) In Order 105—

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- (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); paragraph 6 of Schedule 17, and paragraph 15 of Schedule 18, to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976); and paragraph 2 of the Schedule to the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13)
 - (c) 2015 c.9 (N.I.)
 - (d) S.R. 1980 No. 346; The Rules of the Supreme Court (Northern Ireland) 1980 were renamed in accordance with paragraph 3 of Schedule 11 to the Constitutional Reform Act 2005 (c.4). The most recent amendments were made by S.R. 2015 No. 235

- (a) in rule 11(4), omit “acting for the petty sessions district in which the defendant appears to be”; and
 - (b) in rule 15(3)(b), omit “acting for the petty sessions district in which the order was made”.
- (3) In Order 107, in rule 1, for the definition of “district” substitute—
- ““district” means a local government district within the meaning of Article 2 of and Schedule 1 to the Local Government (Boundaries) Order (Northern Ireland) 2012(a); and”.
- (4) In Order 118, in rule 10(12)(a), omit “for the petty sessions district for which that court sits”.
- (5) In Appendix A—
- (a) in Form 37, in the heading, omit the words “for theof....”;
 - (b) in Forms 42 and 43, for “for the County Court Division of", substitute “at...”; and
 - (c) in Forms 50, 51, 52, 53 and 54, in each place where it occurs—
 - (i) omit “petty sessions”; and
 - (ii) for “area” substitute “district”.

*Declan Morgan
R Weatherup
Gerald McAlinden
Peter Campbell
Ian Wimpres*

Dated 4th July 2016

In the 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 19th July 2016



Claire Sugden
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 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.

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