

1969. No. 68

[C]

MAGISTRATES' COURTS RULES

RULES, DATED 28TH MARCH 1969, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, the Right Honourable Robert Wilson Porter, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) do hereby, upon the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, make the Rules hereinafter set forth.

Dated this 28th day of March 1969.

R. W. Porter,
Minister of Home Affairs
for Northern Ireland.

The Ministry of Finance concurs in the making of Rule 5.

Sealed with the Official Seal of the Ministry of Finance this 28th day of March 1969.

(L.S.)

James V. Morrison,
Assistant Secretary.

Citation

1. These Rules shall be cited as the Magistrates' Courts (Amendment) Rules (Northern Ireland) 1969.

Commencement

2. These Rules shall come into operation on the first day of May 1969.

Interpretation

3. In these Rules—

“the principal Act” means the Magistrates' Courts Act (Northern Ireland) 1964;

“the principal Rules” means the Magistrates' Courts Rules (Northern Ireland) 1965(b).

Amendment of principal Rules

4. The principal Rules are amended to the extent specified in the Schedule.

(a) 1964. c. 21 (N.I.).

(b) S.R. & O. (N.I.) 1965, No. 206.

Amendment of Rules relating to court fees

5.—(1) For Rule 7 of the Moneylenders (Summary Jurisdiction) Rules (Northern Ireland) 1933(c) there shall be substituted the following Rule—

“7. For the purposes of paragraph 1 of Schedule 2 to the Magistrates' Courts Rules (Northern Ireland) 1965 the statement to be lodged with the clerk of petty sessions under Rule 1 shall be treated as a notice of application and a form of certificate shall bear an adhesive petty sessions stamp or petty sessions stamps to the value of twenty shillings.”

(2) For Rule 9 of the Summary Jurisdiction (Game Dealers' Certificates) Rules (Northern Ireland) 1954(d) there shall be substituted the following Rule—

“9. For the purposes of paragraph 1 of Schedule 2 to the Magistrates' Courts Rules (Northern Ireland) 1965 the notice of intention to apply for a certificate authorising the grant of a game dealer's licence shall be treated as a notice of application and the form of certificate granted by the court shall bear an adhesive petty sessions stamp or petty sessions stamps to the value of ten shillings.”

and, accordingly, Rule 10 of and Schedule 2 to those Rules are hereby revoked.

(3) For Rule 9 of the Summary Jurisdiction (Pawnbrokers) Rules (Northern Ireland) 1955(e) there shall be substituted the following Rule—

“9. For the purposes of paragraph 1 of Schedule 2 to the Magistrates' Courts Rules (Northern Ireland) 1965 a notice of intention to apply for a certificate authorising the issue of a pawnbroker's licence shall be treated as a notice of application and every such certificate shall bear an adhesive petty sessions stamp or petty sessions stamps to the value of twenty shillings.”

and, accordingly, Schedule 2 to those Rules is hereby revoked.

(c) S.R. & O. (N.I.) 1933, No. 101.
(d) S.R. & O. (N.I.) 1954, No. 48.

(e) S.R. & O. (N.I.) 1955, No. 97.

SCHEDULE

Amendment of the Magistrates' Courts Rules (Northern Ireland) 1965

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PART II RULE 7	<p>In Rule 7 after paragraph (3) there shall be inserted the following paragraphs—</p> <p>“(4) Without prejudice to any order or regulation for the time being in force under the Public Offices Fees Act 1879, the stamps required by this Rule for the purpose of stamping any document shall be those of a design appropriate to Magistrates' Courts and approved by the Ministry of Home Affairs.</p> <p>(5) The clerk of petty sessions on receiving a document duly stamped as required by this Rule shall forthwith and in every case cancel the stamp by writing or stamping the date of cancellation across the stamp in indelible ink.”</p>
PART III RULE 24	<p>In Rule 24 in paragraph (3) the words “but not including that of any witness merely as to his character” are hereby revoked and in paragraph (10) for the words “who know anything tending to show the innocence of the accused” there shall be substituted the words “who are able to give any relevant evidence on behalf of the accused.”</p>
RULE 30	<p>In Rule 30(1) after the words “a justice of the peace (other than a resident magistrate) shall not proceed to conduct a preliminary investigation” there shall be inserted the words “or preliminary enquiry”.</p>
RULE 32	<p>In Rule 32(2) after the words “The evidence of any witness” there shall be inserted the words “(other than a witness whose written statement has been admitted in evidence at a preliminary enquiry under section 3 of the Criminal Procedure (Committal for Trial) Act (Northern Ireland) 1968)”.</p>
	<p>At the end of Part III there shall be inserted—</p>
	<p>“G. FORMAL ADMISSIONS</p>
	<p><i>Formal admissions under section 2 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968</i></p>
	<p>36A. Without prejudice to Rule 10 of the Magistrates' Courts (Preliminary Enquiry) Rules (Northern Ireland) 1969, where under section 2 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 a fact is admitted orally in court by or on behalf of the prosecutor or the accused for the purposes of any criminal proceedings before a magistrates' court, the court shall cause the admission to be written down and signed by or on behalf of the party making the admission.”</p>
PART VI RULE 88	<p>In Rule 88(2) the words “and expense” are hereby revoked.</p>

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PART VII	<p>After Rule 90 there shall be inserted—</p> <p>“AA. SUSPENDED SENTENCES</p> <p><i>Suspended sentences to be dealt with only in petty sessions</i></p> <p>90A.—(1) Where during the operational period of a suspended sentence imposed under the Treatment of Offenders Act (Northern Ireland) 1968, the offender upon whom such sentence was passed appears before a justice of the peace (other than a resident magistrate) sitting out of petty sessions charged with an offence under any of the following enactments—</p> <ul style="list-style-type: none"> (a) section 4 of the Vagrancy Act 1824; (b) section 3 of the Vagrancy (Ireland) Act 1847; (c) section 12 of the Licensing Act 1872 (where the offence is punishable by imprisonment); (d) section 9 of the Summary Jurisdiction (Ireland) Act 1908; or (e) section 24 of the Children and Young Persons Act (Northern Ireland) 1968, <p>the justice shall remand him for appearance before a court of summary jurisdiction sitting for the petty sessions district in which the offence is alleged to have been committed.</p> <p>(2) Where a court of summary jurisdiction deals with an offender in respect of a suspended sentence imposed by a magistrates' court otherwise than by making an order under section 19(1)(a) of the Treatment of Offenders Act (Northern Ireland) 1968 the court shall cause to be entered in the Order Book its reasons for its opinion that it would be unjust to make such order.</p> <p>(3) Where under section 19(1)(c) of the said Act of 1968 the court varies the original order of a magistrates' court by substituting another period for the original operational period of a suspended sentence, the court shall explain to the offender in ordinary language the effect of the variation and his liability thereunder.</p> <p>(4) Where a clerk of petty sessions gives notice under section 19(5) of the said Act of 1968 to the clerk of petty sessions for another petty sessions district he shall attach to the notice—</p> <ul style="list-style-type: none"> (a) where the offender is committed to prison, a copy of the committal warrant; (b) where the court varies the operational period of the sentence, a certificate of the order making the variation. <p><i>Evidence of conviction to be sent to a court of assize or county court</i></p> <p>90B.—(1) Where a magistrates' court under section 20(3) of the said Act of 1968 commits an offender to a court of assize or county court having power to deal with him in respect of a suspended sentence, or, instead of doing so, furnishes written notice of the conviction to the clerk of the Crown and peace, the clerk of petty sessions shall send to</p>

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the clerk of the Crown and peace a certificate of the conviction by the magistrates' court.

(2) Notwithstanding anything in Rule 7 of and Schedule 2 to these Rules a stamp shall not be required on any certificate of conviction or order required under this Rule.

AB. PROBATION AND ABSOLUTE OR CONDITIONAL DISCHARGE

Entry of probation order, absolute or conditional discharge

90C.—(1) Where the court makes a probation order or varies or discharges such order or makes an order for absolute or conditional discharge, it shall cause an entry to be made in the Order Book to that effect.

(2) An entry in the Order Book as to—

(a) a probation order shall specify its duration, the supervising court and the conditions of the order and, where it is varied, the terms of the variation;

(b) an order for conditional discharge shall specify its duration;

(c) the substitution under section 24 of the Treatment of Offenders Act (Northern Ireland) 1968 of a probation order by an order for conditional discharge, shall state that it is so made.

Notification of discharge, etc., of probation orders, etc.

90D.—(1) Where a court of summary jurisdiction varies or discharges a probation order which was not made by that court, the clerk of petty sessions shall give notice of the variation or discharge to the clerk of petty sessions for the petty sessions district in which the order was made.

(2) Where a court of summary jurisdiction deals with a person under section 6 of the Probation Act (Northern Ireland) 1950 in relation to a probation order or order for conditional discharge which was not made by that court, the court shall give notice of the result of the proceedings to the clerk of petty sessions for the district in which the order was made.

(3) Where a court of summary jurisdiction makes an order under section 24 of the Treatment of Offenders Act (Northern Ireland) 1968 substituting an order for conditional discharge for a probation order which was not made by that court, the clerk of petty sessions shall give notice of the substitution to the clerk of petty sessions for the petty sessions district in which the probation order was made."

After Rule 114 there shall be inserted the following Rule—

"Proof by written statement in criminal proceedings (other than at a preliminary enquiry)

114A.—(1) Where a written statement complying with section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 is served by the complainant or by the defendant for the purposes of any criminal pro-

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	<p>ceedings before a court of summary jurisdiction (other than a preliminary enquiry) a copy of the statement and of any written exhibit which accompanied it shall be given to the clerk of petty sessions as soon as practicable after such service and, where a copy of such statement is served on behalf of the prosecution, the complainant shall append to the statement a notice informing the defendant of his right to object to his statement being admitted in evidence.</p> <p>(2) Where the court under section 1(5) of the said Act of 1968 requires the attendance of the person who made such written statement the court shall, if necessary, adjourn the hearing to enable the witness to be called.</p> <p>(3) Where any such written statement refers to any document or object as an exhibit, that document or object shall, wherever possible, be identified by means of a label or other mark of identification signed by the maker of the statement and, before the court treats any document or object referred to as an exhibit in such written statement as an exhibit produced and identified in court by the maker of the statement, the court shall be satisfied that the document or object is sufficiently described in the statement for it to be identified.</p> <p>(4) Where the court decides not to admit as evidence any written statement or part thereof tendered in evidence it shall announce such decision forthwith and shall thereupon write or cause to be written upon such statement, or as the case may be, against that part the words "This statement is not admitted as evidence." or, alternatively, "The part of this statement consisting of is not admitted as evidence." and in either case the presiding magistrate shall subscribe his name thereto.</p> <p>(5) Where in summary proceedings any written statement is admitted in evidence and read aloud in accordance with section 1(6) of the said Act or an account has to be given orally of so much of any written statement as is not read aloud, the statement shall be read aloud or the account given by or on behalf of the party who has tendered the statement in evidence."</p>
<p>PART X RULE 120</p>	<p>In Rule 120(1)(d) at the end the following words shall be added "(including any admission of facts made under section 2 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968)".</p>
<p>NEW PART ADDED</p>	<p>After Part X there shall be added the following Part—</p> <p style="text-align: center;">"PART XI MISCELLANEOUS</p>
	<p><i>Hours of sitting at petty sessions</i></p> <p>129. Without prejudice to the powers of the Ministry of Home Affairs under section 21(3)(a) of the Act to fix or alter the times when petty sessions shall be held regularly in or for a petty sessions district, a court of summary jurisdiction shall not, unless it is satisfied that not to do so would give rise to undue hardship or inconvenience to a party to any proceeding, commence to hear proceedings after the hour of four o'clock in the afternoon."</p>

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<p>SCHEDULE 1</p>	<p>In Form 17 for the words "Do you wish to say anything in answer to the charge?" there shall be substituted the words "Do you wish to say anything on behalf of the Accused Corporation in answer to the charge?" and for the words "was then asked whether h desired to give evidence on h own behalf and whether h desired to call witnesses" there shall be substituted the words "was then asked whether h desired to give evidence on behalf of the Accused Corporation and whether h desired to call witnesses on its behalf".</p> <p>After Form 74 there shall be inserted the following forms—</p> <p style="text-align: center;">FORM 74A</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Section 115; Rules 13, 14, 90A and 111)</p> <p style="text-align: center;">TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968 (Section 19(1)(a) or (b))</p> <p style="text-align: center;">Warrant of Commitment on commission of further Offence during operational period of Suspended Sentence</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding-right: 10px;">of</td> <td style="padding-right: 10px;">Complainant</td> <td rowspan="2" style="font-size: 3em; padding: 0 10px;">}</td> <td>Petty Sessions District of</td> </tr> <tr> <td>of</td> <td>Defendant</td> <td>County [Borough] of</td> </tr> </table> <p>Whereas the Defendant was on the day of 19 , convicted by a Magistrates' Court sitting at for the above-named petty sessions district of the said County [Borough] of the following offence:—</p> <p><i>(state shortly particulars of offence)</i> and upon his conviction for the said offence was sentenced to imprisonment for <i>(state period)</i> but the said court made an order that the said sentence of imprisonment should not take effect unless during the period of years from that day the Defendant committed in Northern Ireland another offence punishable with imprisonment;</p> <p>[And whereas the said period during which the said sentence should not take effect was by [a Court of Assize for the County [Borough] of] [or a County Court for the County Court Division of] [or a Court</p>	of	Complainant	}	Petty Sessions District of	of	Defendant	County [Borough] of
of	Complainant	}	Petty Sessions District of					
of	Defendant		County [Borough] of					

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	<p>of Summary Jurisdiction for the above-named petty sessions district and County [Borough] sitting at on the day of 19 , varied so as to expire on the day of 19 ;]</p> <p>And whereas the Defendant was on the day of 19 , convicted by [a Court of Assize for the County [Borough] of] [or a County Court for the County Court Division of] [or a Magistrates' Court for [the petty sessions district of and the County [Borough] of] [the above-named petty sessions district and County [Borough] sitting at] of the following offence</p> <p><i>(state shortly particulars of offence)</i> being an offence punishable with imprisonment committed by the Defendant on the day of 19 , during the said period [as so varied], a Court of Summary Jurisdiction sitting at for the above-named petty sessions district and County [Borough] on the day of 19 ordered that the said suspended sentence take effect [with the substitution of a term of imprisonment of for the original term].</p> <p>This is to command you, to whom this Warrant is addressed to execute the last-mentioned Order as follows:—</p> <p>To lodge the Defendant in the Prison at to be imprisoned there for the period of [to commence on the expiration of the term of imprisonment</p> <p><i>(give particulars of any term of imprisonment to which the Defendant is liable where the term specified in the present Warrant is ordered to run consecutively to any term imposed by this or any other Court.)</i>.</p> <p>And for this the Present Warrant shall be a sufficient Authority to all whom it may concern.</p> <p style="text-align: right;">Resident Magistrate [or Clerk of Petty Sessions].</p> <p>To the District Inspector of the Royal Ulster Constabulary at and to all other members of the Royal Ulster Constabulary to whom this Warrant may be delivered for execution.</p>

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	<p style="text-align: center;">FORM 74B</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Rule 8)</p> <p style="text-align: center;">TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968 (Section 21)</p> <p style="text-align: center;">Complaint that offender has committed offence punishable with imprisonment during operational period of suspended sentence</p> <p>of Complainant } Petty Sessions District of</p> <p>of Defendant } County [Borough] of</p> <p>I of</p> <p>say [on oath] that the Defendant was convicted by [a Court of Assize for the above-named County [Borough]] [or a County Court for the County Court Division of in the above-named County [Borough]] [or a Magistrates' Court for the above-named petty sessions district and County [Borough]] sitting at of the following offence:—</p> <p>(state shortly particulars of offence) and was sentenced to imprisonment for (state period) and that the said Court made an order that the said sentence of imprisonment should not take effect unless during the period of years from the date of conviction the Defendant committed in Northern Ireland another offence punishable with imprisonment;</p> <p>[And whereas on the day of 19, the Court sitting at varied the said period during which the said sentence should not take effect so as to expire on the day of 19 ;]</p> <p>I [say] [swear] that on the day of 19, the Defendant was convicted by [a Court of Assize for the County [Borough] of] [or a County Court for the County Court Division of] [or a Magistrates' Court for the petty sessions district of and the County [Borough] of] [or the above-named petty sessions district and County</p>

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	<p>[Borough] sitting at _____ of the following offence:—</p> <p>(state shortly particulars of offence) being an offence punishable with imprisonment, committed by the Defendant on the _____ day of _____ 19____, during the said period [as so varied].</p> <p>Complainant [for Complainant].</p> <p>Taken before me this _____ day of _____ 19____, in the County [Borough] of _____</p> <p>Justice of the Peace.</p>

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	<p style="text-align: center;">FORM 74C</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Rule 9)</p> <p style="text-align: center;">TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968 (Section 21)</p> <p>of Complainant } Petty Sessions District of of Defendant } County [Borough] of</p> <p style="text-align: center;">Summons on complaint for appearance before Court by which a suspended sentence has been passed</p> <p>Whereas a complaint has been made before me that on the day of 19 , you, the said Defendant, were convicted by [a Court of Assize for the above-named County [Borough]] [or a County Court for the County Court Division of in the above-named County [Borough]] [or a Magistrates' Court for the above-named petty sessions district and County [Borough]] sitting at of the following offence:—</p> <p><i>(state shortly particulars of offence)</i> and were sentenced to imprisonment for <i>(state period)</i> and that the said Court made an order that the said sentence of imprisonment should not take effect unless during the period of years from the date of such conviction you committed in Northern Ireland another offence punishable with imprisonment;</p> <p>[And whereas on the day of 19 , the Court sitting at varied the said period during which the said sentence should not take effect so as to expire on the day of 19 ;]</p> <p>And whereas the complaint alleges that on the day of 19 , you were convicted by [a Court of Assize for the County [Borough] of] [or a County Court for the County Court Division of] [or a Magistrates' Court for the petty sessions district of and the County [Borough] of] [or the above-named petty sessions district</p>

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	<p>and County [Borough]] sitting at _____ of the following offence:—</p> <p><i>(state shortly particulars of offences)</i> being an offence punishable with imprisonment, committed by you on the _____ day of _____ 19____, during the said period [as so varied];</p> <p>This is to command you to appear at [the Court of Assize] [or the County Court] [or a Court of Summary Jurisdiction for the above-named petty sessions district and County [Borough]] namely, the Court which passed the said suspended sentence of imprisonment sitting at on the _____ day of _____ 19____, at _____ o'clock in the _____ noon.</p> <p style="text-align: right;">Justice of the Peace.</p> <p>This _____ day of _____ 19____.</p> <p>To the said Defendant.</p>

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FORM 74D

MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964
(Rules 13 and 111)

TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968
(Section 21)

of	Complainant	}	Petty Sessions District of
of	Defendant		County [Borough] of

**Warrant for arrest of person upon whom a suspended sentence
has been passed**

Whereas a complaint has been made in writing and on oath that on the day of 19 , the said Defendant was convicted by [a Court of Assize for the above-named County [Borough]] [or a County Court for the County Court Division of in the above-named County [Borough]] [or a Magistrates' Court for the above-named petty sessions district and County [Borough]] sitting at of the following offence:—

(state shortly particulars of offence) and was sentenced to imprisonment for (state period) and that the said Court made an order that the said sentence of imprisonment should not take effect unless during the period of years from the date of such conviction the Defendant committed in Northern Ireland another offence punishable with imprisonment;

[And whereas the Court on the day of 19 , sitting at varied the said period during which the said sentence should not take effect so as to expire on the day of 19 ;]

And whereas the complaint alleges that on the day of 19 , the Defendant was convicted by [a Court of Assize for the County [Borough] of] [or a County Court for the County Court Division of] [or a Magistrates' Court for the petty sessions district of and the County [Borough] of] [or the above-named petty sessions district and County

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	<p>[Borough] sitting at _____ of the following offence:—</p> <p>(state shortly particulars of offence) being an offence punishable with imprisonment, committed by the Defendant on the _____ day of _____ 19____, during the said period [as so varied];</p> <p>This is to command you, to whom this Warrant is addressed, to arrest the said _____ and bring him before [[the Court of Assize] [or the County Court] sitting at _____ on the _____ day of _____ 19____, at _____ o'clock in the _____ noon] [or] [forthwith before a Magistrates' Court for the above-named petty sessions district and County [Borough]].</p> <p style="text-align: right;">Justice of the Peace.</p> <p>This _____ day of _____ 19____</p> <p>To the District Inspector of the Royal Ulster Constabulary at _____ and to all other members of the Royal Ulster Constabulary to whom this Warrant may be delivered for execution.</p> <p>NOTE: This form may be endorsed for bail as on Form 4."</p>

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<p>SCHEDULE 1 (continued)</p>	<p>After Form 115 there shall be inserted the following Forms:—</p> <p style="text-align: center;">"FORM 115A</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Rule 114A)</p> <p style="text-align: center;">CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1968 (Section 1)</p> <p style="text-align: center;">Statement of Witness to be tendered in evidence under section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968</p> <p>Name of witness</p> <p>Age (if over 21 say "over 21")</p> <p>Occupation</p> <p>Address</p> <p>I hereby declare that this statement consisting of pages each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.</p> <p>Dated this day of 19</p> <p style="text-align: right;">Signature of Witness.</p> <p>[(For use only where witness cannot read)</p> <p>The said witness being unable to read the above statement, I of read it to h before he/she signed it and he/she assented to it in accordance with section 1(4)(b) of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968.</p> <p>Dated this day of 19</p> <p style="text-align: right;">Reader.]</p>
	<p>NOTE: Whenever possible statements should be on foolscap paper. If statements are typed double spacing should be used; a space should be left at the top of the first page for headings to be entered by the Clerk of Petty Sessions; and each page should have a wide margin on the left.</p>

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	<p style="text-align: center;">FORM 115B</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Rule 114A)</p> <p style="text-align: center;">CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1968 (Section 1)</p> <p style="text-align: center;">Notice by Complainant of intention to tender written statement at summary trial</p> <p>of Complainant } Petty Sessions District of</p> <p>of Defendant } County [Borough] of</p> <p>The purpose of this notice is to inform you that the Complainant intends at the sitting of the Magistrates' Court at _____ for the said Petty Sessions District and the said County [Borough] on the day of _____ 19____ to tender the written statement(s) of the following witness(es), namely— to which this notice is appended [together with the following copy/copies of documentary exhibit(s)—</p> <p><i>(here list any documentary exhibits)</i></p> <p>referred to in the statement(s) of the witness(es)</p> <p style="text-align: right;">].</p> <p>[The following is a list of exhibits (other than the documentary exhibits referred to above) which will be produced or are referred to in the written statement(s) of the witness(es), namely—</p> <p style="text-align: right;">].</p> <p>Any of the exhibits referred to in this notice may be inspected by you at _____ between the hour of _____ and the hour of _____</p> <p>You have the right to inspect every exhibit by yourself or in consultation with your solicitor or in consultation with your solicitor and any expert witness you may wish to call at the hearing before the Court.</p>

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<p>SCHEDULE 1 (continued) FORM 155</p>	<p>For Form 155 there shall be substituted the following Form—</p> <p style="text-align: center;">"FORM 155</p> <p style="text-align: center;">MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964 (Section 70)</p> <p style="text-align: center;">CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT (NORTHERN IRELAND) 1968 (Section 12 and Schedule 1)</p> <p style="text-align: center;">Order for taking Finger-prints and Palm-prints</p> <p style="text-align: center;">of Complainant } Petty Sessions District of of Defendant } County [Borough] of</p> <p>Whereas (hereinafter called "the Defendant") [having on the day of 19 , been taken into custody] [has appeared before the Magistrates' Court sitting at the day of 19] charged that</p> <p>(state shortly particulars of offence).</p> <p>And application being made to me by (insert name and rank) of the Royal Ulster Constabulary.</p> <p>It is ordered that the finger-prints and palm-prints of the Defendant be taken by a Constable.</p> <p>Dated this day of 19</p> <p style="text-align: right;">Resident Magistrate [or Justice of the Peace]."</p>

EXPLANATORY NOTE

(This Note is not part of the Rules but is intended to indicate their general purport.)

These Rules amend the Magistrates' Court Rules (Northern Ireland) 1965 to provide for the procedure to be adopted in Magistrates' Courts for the imposition of and putting into effect of suspended sentences of imprisonment under the Treatment of Offenders Act (Northern Ireland) 1968. Other amendments to the 1965 Rules include amendments dealing with the tendering in evidence of written statements of witnesses and the making of admissions of fact under the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968.