

1973. No. 63

[C]

MAGISTRATES' COURTS RULES

RULES, DATED 9TH MARCH 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, THE RIGHT HONOURABLE WILLIAM WHITELAW, M.C., M.P., in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a), section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972(b) and all other powers enabling me in that behalf 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.

Citation and commencement

1. These Rules may be cited as the Magistrates' Courts (Amendment) Rules (Northern Ireland) 1973 and shall come into operation on 1st April 1973.

Amendment of Principal Rules

2. The provisions of the Magistrates' Courts Rules (Northern Ireland) 1965(c) specified in column 1 of Schedule 1 are amended to the extent specified in the second column thereof.

Dated this 9th day of March 1973.

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

(a) 1964. c. 21 (N.I.).
(b) 1972. c. 22.

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

Provision of Rules amended	Amendment
Schedule 1 (contd.)	<p>This is to command you to whom this warrant is addressed to place the defendant in the custody of the Governor of H.M. Prison at and under the control of a prison officer at hospital, there to be kept in custody until he can be conveyed to the prison at and produced at the above place or further remanded in accordance with section 56 of the above Act of 1964.</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 Justice of the Peace] [or Clerk of Petty Sessions]</p> <p>This day of 19</p> <p>To the Superintendent of Constabulary Division.</p> <p>NOTE: This Warrant may be endorsed for bail as on Form 7."</p>

EXPLANATORY NOTE

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

These Rules amend the Magistrates' Courts Rules (Northern Ireland) 1965 by providing for the remand of a prisoner in the custody of the appropriate prison governor and under the control of a prison officer in a hospital where the prisoner is unable by reason of illness to be remanded initially in custody at a prison.