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STATUTORY INSTRUMENTS

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**1999 No. 665**

**JUDICIAL COMMITTEE**

**PROCEDURE**

**The Judicial Committee (Devolution Issues) Rules Order 1999**

*Made - - - - 10th March 1999  
Coming into force as  
provided in article 4*

**THE JUDICIAL COMMITTEE (DEVOLUTION  
ISSUES) RULES ORDER 1999**

1. This Order may be cited as the Judicial Committee (Devolution...
2. The Rules set out in the Schedule to this Order...
3. The Judicial Committee (General Appellate Jurisdiction) Rules shall not apply...
4. This Order shall come into force as follows—  
Signature

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SCHEDULE — THE JUDICIAL COMMITTEE (DEVOLUTION ISSUES) RULES  
1999

PART I — GENERAL

- 1.1 Application
- 1.2 Interpretation
- 1.3 Lodgement and service
- 1.4 Conduct of litigation in the Judicial Committee
- 1.5 Mode of addressing petitions and references
- 1.6 Appearance by petitioner

PART II — PROCEEDINGS UNDER THE SCOTLAND ACT 1998

- 2.1 Interpretation of Part II
- 2.2 References under section 33
- 2.3 Any Law Officer (other than the one making the reference)...
- 2.4 (1) The Law Officer making the reference shall, within 14...
- 2.5 References under paragraph 34 of Schedule 6
- 2.6 Any Law Officer (other than the one making the reference)...
- 2.7 (1) Each party to the proceedings shall lodge a Case...
- 2.8 Reference by courts

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- 2.9 (1) The reference shall set out the following—
- 2.10 (1) Any party to the proceedings in the court making...
- 2.11 (1) Any Law Officer who is not already a party...
- 2.12 Appeals
  - PART III — PROCEEDINGS UNDER THE GOVERNMENT OF WALES ACT 1998
  - 3.1 Interpretation of Part III
  - 3.2 References under paragraph 31(1)
  - 3.3 The respondent shall within 14 days either—
  - 3.4 (1) The originating party and (if participating in the proceedings)...
  - 3.5 References by courts
  - 3.6 (1) The reference shall set out the following:
  - 3.7 (1) Any party to the proceedings in the court making...
  - 3.8 (1) Unless they are already parties to the proceedings, the...
  - 3.9 Appeals
    - PART IV — PROCEEDINGS UNDER THE NORTHERN IRELAND ACT 1998
    - 4.1 Interpretation of Part IV
    - 4.2 References under section 11
    - 4.3 If the First Minister and the deputy First Minister (acting...
    - 4.4 (1) The Attorney General for Northern Ireland shall, within 14...
    - 4.5 References under paragraph 34 of Schedule 10
    - 4.6 If a person on whom a copy of a reference...
    - 4.7 (1) Each party to the proceedings shall lodge a Case...
    - 4.8 References by courts
    - 4.9 (1) The reference shall set out the following:
    - 4.10 (1) Any party to the proceedings in the court making...
    - 4.11 (1) The First Minister and the deputy First Minister (acting...
    - 4.12 Appeals
      - PART V — COMMON RULES

## Chapter 1

### Special leave to appeal

- 5.1 (1) Special leave to appeal to the Judicial Committee may...
- 5.2 Time limits
- 5.3 Form of petition
- 5.4 Petitions must be— (a) set out in numbered paragraphs; and...
- 5.5 In any petition where in the courts below the title...
- 5.6 Service of petition
- 5.7 Lodgement of petition
- 5.8 Entry of appearance by respondent
- 5.9 Reference of petition to a Board
- 5.10 Additional papers for use by the Board
- 5.11 Submissions in writing and disposal without a hearing
- 5.12 Oral hearing

## Chapter 2

### Appeals

- 5.13 Petition for leave to present appeal out of time
- 5.14 Form of petition of appeal

- 5.15 Anonymity and reporting restrictions
- 5.16 Service of petition
- 5.17 Presentation of petition of appeal
- 5.18 Appearance by respondent
- 5.19 Security for costs
- 5.20 Statement of facts and issues
- 5.21 Appendix
- 5.22 Contents of appendix
- 5.23 Documents in readiness at hearing
- 5.24 Respondent's additional documents
- 5.25 Scottish Record
- 5.26 Time limit for lodging statement and appendix
- 5.27 Lodgement
- 5.28 Setting down for hearing
- 5.29 Allocation of time
- 5.30 Appellant's and respondent's Cases
- 5.31 Separate Cases
- 5.32 Exchange of Cases
- 5.33 Bound volumes
- 5.34 Notice of Hearing etc.
- 5.35 Authorities
- 5.36 Submissions as to costs
- 5.37 Judgment
- 5.38 Bills of costs
- 5.39 Taxation of costs
- 5.40 Disposal of security money

### Chapter 3

#### References

- 5.41 Presentation of reference
- 5.42 Service of reference
- 5.43 Lodgement of Cases
- 5.44 Setting down for hearing
- 5.45 Automatic remission to referring court after judgment
- 5.46 Application of other provisions of this Part

### Chapter 4

#### Miscellaneous

- 5.47 Legal aid
- 5.48 Cross-appeals
- 5.49 References to the European Court of Justice
- 5.50 Consolidation and conjoinder
- 5.51 Withdrawal of petitions and appeals
- 5.52 Incidental petitions and motions
- 5.53 New submissions
- 5.54 Interveners
- 5.55 Preparation of documents
- 5.56 Form of statement and Case
- 5.57 Form of appendix

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- 5.58 Form of bound volumes
- 5.59 Power to give directions and excuse compliance with rules
- 5.60 Amendment of documents
- 5.61 Fees

Explanatory Note