STATUTORY RULES OF NORTHERN IRELAND

2011 No. 420

COURT OF JUDICATURE, NORTHERN IRELAND

PROCEDURE

The Crown Court (Amendment No. 2) Rules (Northern Ireland) 2011

Made - - - - 9th December 2011

Coming into operation 1st January 2012

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(**1**).

Citation and Commencement

1. These Rules may be cited as the Crown Court (Amendment No. 2) Rules (Northern Ireland) 2011 and shall come into operation on 1st January 2012.

Amendment to the Crown Court Rules (Northern Ireland) 1979

2. The Crown Court Rules (Northern Ireland) 1979(**2**) are amended as follows—

(1) after rule 44CB (Discharge or variation of a special measures direction), insert—

"**Application to disapply or disapply in part the primary rule**

44CBA.—(1) An application to disapply or disapply in part the primary rule under Article 9(4)(ba) of the 1999 Order shall be made in writing and shall include such information as the Court requires to make a determination.

(2) An application under paragraph (1) shall be served, by the applicant, on the chief clerk and on each party to the proceedings as soon as reasonably practicable after the witness has expressed that wish.

(3) Paragraphs (6) to (12) of Rule 44B shall apply to an application to disapply or disapply in part the primary rule as they apply to an application for a direction."; and

(**1**) 1978 C.23; to which the most recent relevant amendments were made by paragraph 6 of Schedule 17, 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 No. 976)

(**2**) S.R. 1979 No. 90; to which the most relevant amendments were made by S.R. 2003 No. 279 and S.R. 2003 No. 471