STATUTORY RULES OF NORTHERN IRELAND

2000 No. 42

SUPREME COURT, NORTHERN IRELAND PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (Amendment) 2000

To be laid before Parliament

Made - - - -	*29th February 2000*
Coming into operation	*27th March 2000*

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 55 of the Judicature (Northern Ireland) Act 1978(**1**) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby, with the concurrence of the Lord Chancellor, exercise those powers as follows:

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment) 2000 and shall come into operation on 27th March 2000.

(2) In these Rules an Order referred to by number or an Appendix referred to by letter means an Order so numbered or the Appendix so lettered in the Rules of the Supreme Court (Northern Ireland) 1980(**2**).

Third party directions

2. Order 16, rule 4 shall be amended by substituting for paragraph (1A) the following paragraph —

"(1A) Paragraph (1) shall not apply where the defendant who issued the third party notice—

(a) applies, at the same time, to the Court by summons (to be served on all the other parties to the action) for directions; or

(**1**) 1978 c. 23
(**2**) S.R. 1980 No. 346; to which the most relevant amendments were effected by S.R. 1999 No. 333

(b) applies to the Court ex parte to receive and make a rule of Court (having the effect of an order) a consent of all parties providing for the conduct or disposal of the third party proceedings.".

Enforcement of judgments and orders

3. For rule 5(4) of Order 45 there shall be substituted the following—

"(4) There must be prominently displayed on the front of the copy of an order served under this rule a warning in Form 67 or 68 in Appendix A, as appropriate.".

Appeals by way of case stated to the Court of Appeal

4. At the end of Order 61 there shall be added the following—

"**Application for leave to appeal to the Court of Appeal from the Tribunal established under section 91 of the Northern Ireland Act 1998**

15.—(1) In this rule and rule 16—

"the Act" means the Northern Ireland Act 1998(**3**); and

"the Tribunal" means the Tribunal established under section 91 of the Act.

(2) An application for leave to appeal to the Court of Appeal under section 92 of the Act shall be made within 28 days of the date of the Tribunal's decision to refuse leave to appeal.

(3) Such an application shall be made ex parte by lodging the following documents in the Central Office, namely:

(a) a certified copy of the Tribunal's decision to refuse to grant leave to appeal; and

(b) a statement of the grounds of the application.

(4) The proper officer shall notify the parties of the determination of the Court of Appeal.

(5) Where leave to appeal has been granted the applicant shall notify the Chairman of the Tribunal.

Appeal from the Tribunal

16.—(1) Where leave to appeal to the Court of Appeal under section 92 of the Act has been granted by the Tribunal, or by the Court of Appeal, the time limit specified in rule 1(2)(*a*) for lodging the requisition to state the case shall be calculated from the date leave was so granted.

(2) On entering the appeal for hearing a copy of the order granting leave to appeal by the Tribunal or by the Court of Appeal must be lodged in the Central Office together with the case stated and the requisition for hearing.".

Forms

5. After Form 66 in Appendix A there shall be added the new Forms 67 and 68 set out in the Schedule to these Rules.

(**3**) 1998 c. 47