STATUTORY RULES OF NORTHERN IRELAND

1996 No. 325

MAGISTRATES' COURTS

Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1996

Made - - - -	*25th July 1996*
Coming into operation	*4th November 1996*

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**1**) and all other powers enabling him in that behalf, on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

Citation, commencement and interpretation

1.—(1) These rules may be cited as the Magistrates' Courts (Children and Young Persons) (Amendment) Rules (Northern Ireland) 1996 and shall come into operation on 4th November 1996.

(2) In these rules the 'Principal Rules' means the Magistrates' Courts (Children and Young Persons) Rules (Northern Ireland) 1969(**2**) and a reference to a rule or form by number means the rule or form so numbered in the Principal Rules.

Amendment or revocation of the Principal Rules

2. The Principal Rules shall be amended or revoked to the extent specified in the Schedule.

Savings

3. Nothing in these rules shall affect any proceedings pending (within the meaning of paragraph 1 of Schedule 8 to the Children (Northern Ireland) Order 1995) immediately before these rules come into operation.

Dated 25th July 1996. *Mackay of Clashfern,* C.

(**1**) S.I. 1981/1675 (N.I. 26)
(**2**) S.R. 1969 No. 221 as amended by S.R. 1971 No. 179; S.R. 1973 No. 346; S.R. 1977 No. 172 and S.R. 1996 No. 126

SCHEDULE

Rule 2

Amendments to the Principal Rules

1. In rule 5 the words from "and, so far as applicable" to the end are revoked.

2. For the heading in Part III there shall be substituted "VARIATION AND REVOCATION OF ORDERS".

3. In rule 17 the words "dealt with in pursuance of section 95 or 96 of the Act and shall, subject to this Part, apply also in the case of a child or young person" are revoked.

4. In rule 18.

   (a) in paragraph (1) the words "section 95 or 96 or" are revoked; and

   (b) in paragraph (2) the words "Where the application is under Section 97 or Section 143(4) of the Act" are revoked.

5. In rule 25 the words "that the child or young person comes within the description mentioned in the application or where the application is under section 97 or section 143(4), (5) or (6)" are revoked.

6. In rule 31(1) for the words "section 95, 96 or 143(4) or (6) of the Act or paragraphs 7 and 9 of Schedule 9 to the Education and Libraries (Northern Ireland) Order 1972," there shall be substituted the words "section 143(4) or (6) of the Act".

7. In rule 34 for the words "charged with an offence, or is for any reason brought before a court" there shall be substituted the words "brought before a court in any proceedings against him or any other person for any offence".

8. Rules 21, 24, 27, 32 and 33 are revoked.

9. In the heading to Form 5, the words "Care, Protection or Control" are revoked.

10. In Form 6—

   (a) the words "a child [or young person under the age of seventeen years] in respect of whom an offence mentioned in Schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968 has been, or is believed to have been, committed, that is to say (state particulars of offence)" are revoked; and

   (b) for the words "section [94] [96] [97]" there shall be substituted the words "section 97".

11. In Forms 9, 10, 12 and 70 the words "[or Special Reception Centre]" wherever they appear are revoked.

12. In Form 14—

   (a) in the heading the words "Care, Protection or Control" are revoked;

   (b) for the words "section [8] [18] [32] [99] of the Children and Young Persons Act (Northern Ireland) 1968 [or section 14 of the Adoption Act (Northern Ireland) 1967] [or has taken refuge in a place of safety]" there shall be substituted the words "section 99 of the Children and Young Persons Act (Northern Ireland) 1968";

   (c) the words "[a child under the age of 5]" are revoked; and

   (d) for the words "section [95] [97] has" there shall be substituted the words "section 97 has".

13. In Form 17—

   (a) in the heading the words "156(2) and 158(2)" are revoked;

   (b) in the body of the form the words—