

Rules made by the Lord Chancellor, laid before Parliament under section 40(8) of the Sanctions and Anti-Money Laundering Act 2018, for approval by resolution of each House of Parliament within 28 days beginning with the day on which the Rules were made, subject to extension for periods of dissolution, prorogation or adjournment for more than 4 days.

STATUTORY RULES OF NORTHERN IRELAND

2019 No. 8

**COURT OF JUDICATURE, NORTHERN IRELAND
EXITING THE EUROPEAN UNION
SANCTIONS**

The Rules of the Court of Judicature (Northern
Ireland) (Amendment) (EU Exit) 2019

<i>Made</i>	- - - -	<i>30th January 2019</i>
<i>Laid before Parliament</i>		<i>31st January 2019</i>
<i>Coming into force</i>	- -	<i>1st March 2019</i>

The Lord Chancellor, in exercise of the power conferred by section 40 of the Sanctions and Anti-Money Laundering Act 2018(1) (“the 2018 Act”) to make rules of court under sections 55 and 55A of the Judicature (Northern Ireland) Act 1978(2), and after consulting in accordance with section 40(5) (b) of the 2018 Act, makes the following Rules.

Citation and commencement

1. These Rules may be cited as the Rules of the Court of Judicature (Northern Ireland) (Amendment) (EU Exit) 2019 and come into force on 1st March 2019.

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- (1) [2018 c. 13](#). Section 40(1) states that sections 66 to 68 of the Counter-Terrorism Act [2008 \(c. 28\)](#) apply on applications under section 38 of the Sanctions and Anti-Money Laundering Act 2018 as they apply in relation to financial restrictions proceedings within the meaning of section 65 of the 2008 Act, with modifications.
- (2) [1978 c.23](#); to which the most recent relevant amendments were made by paragraphs 29 and 30 of Schedule 5 to the Constitutional Reform Act [2005 \(c. 4\)](#); and paragraph 6 of Schedule 17, and paragraph 15 of Schedule 18, to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 ([S.I. 2010/976](#)).

Interpretation

2. In these Rules, “the principal Rules” means the Rules of the Court of Judicature (Northern Ireland) 1980(3) and an Order, Part or rule referred to by number alone means the Order, Part or rule so numbered in the principal Rules.

Arrangement of Orders

3. In the Arrangement of Orders, for the entry relating to Order 116B substitute, “ORDER 116B - COUNTER-TERRORISM ACT 2008, PART 1 OF THE TERRORIST ASSET-FREEZING ETC. ACT 2010 AND PART 1 OF THE SANCTIONS AND ANTI-MONEY LAUNDERING ACT 2018”.

Amendment of Order 1 to the principal Rules

4. In Order 1, after rule 11(la) insert—

“(1b) proceedings on an application under section 38 of the Sanctions and Anti-Money Laundering Act 2018 (court review of decisions), or on a claim arising from any matter to which such an application relates;”.

Amendment of Order 116B to the principal Rules

5.—(1) Order 116B of the principal Rules is amended as follows.

(2) For the heading to Order 116B substitute—

“ORDER 116B – COUNTER-TERRORISM ACT 2008, PART 1 OF THE TERRORIST ASSET-FREEZING ETC. ACT 2010 AND PART 1 OF THE SANCTIONS AND ANTI-MONEY LAUNDERING ACT 2018”.

(3) In rule 1(1)—

(a) after sub-paragraph (a) insert—

“(aa) sanctions proceedings;”;

(b) in sub-paragraph (b), for “such proceedings” substitute “financial restrictions proceedings or sanctions proceedings”.

(4) In rule 1(2)—

(a) after sub-paragraph (aa) insert—

“(ab) “the 2018 Act” means the Sanctions and Anti-Money Laundering Act 2018;

(ac) “appropriate Minister” means—

(i) in relation to a challenge to a decision of the Secretary of State, the Secretary of State;

(ii) in relation to a challenge to a decision of the Treasury, the Treasury;”;

(b) after sub-paragraph (b) insert—

“(ba) “sanctions decision” means a decision to which section 38 of the 2018 Act applies;”;

(c) after sub-paragraph (c) insert—

(3) [S.R. 1980 No. 346](#). The Rules of the Supreme Court (Northern Ireland) 1980 were re-named in accordance with paragraph 3 of Schedule 11 to the Constitutional Reform Act 2005. The most recent relevant amendments were made by [S.R. 2008 No. 479](#), [S.R. 2009 No. 264](#), [S.R. 2010 No. 430](#), [S.R. 2012 No. 273](#) and the Terrorist Asset-Freezing etc. Act 2010 (c. 38), Schedule 1.