STATUTORY RULES OF NORTHERN IRELAND

2016 No. 303

MAGISTRATES' COURTS

The Magistrates' Courts (Miscellaneous Amendments) Rules (Northern Ireland) 2016

Made - - - - 5th July 2016

Coming into operation in accordance with Rule 2

The Magistrates' Courts Rules Committee makes the following rules in exercise of the powers conferred by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**1**).

Citation and Commencement

1. These Rules may be cited as the Magistrates' Courts (Miscellaneous Amendments) Rules (Northern Ireland) 2016.

2. These Rules shall come into operation on the same day as section 1 of the Justice Act (Northern Ireland) 2015(**2**).

Amendment to the Magistrates' Courts (Maintenance and Affiliation) Rules (Northern Ireland) 1966

3. The Magistrates' Courts (Maintenance and Affiliation) Rules (Northern Ireland) 1966(**3**) are amended as follows—

(1) In rule 3, omit "acting for the same petty sessions district as the court which made the maintenance order".

(2) In rule 7(5), for "Petty Sessions District", substitute "administrative court division".

(3) In Schedule 2—

(a) in Form 1—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of"; and

(**1**) S.I. 1981/1675 (N.I.26), Article 13 was amended by paragraph 133 of Schedule 18 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976); paragraph 65 of Schedule 5 to the Constitutional Reform Act 2005 (c.4); and paragraph 4 of the Schedule to the Northern Ireland (Miscellaneous Provisions) Act 2014 (c.13).
(**2**) 2015 c.9 (N.I.)
(**3**) S.R. & O. (N.I.) 1966 No. 292

(ii) for "acting for the above-named petty sessions district", substitute "sitting at…" in each place where it occurs;

(b) in Form 2—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of";

(ii) for "for the Petty Sessions District of … in the County [Borough] of ….", substitute "at…"; and

(iii) at the end, omit "for the said Petty Sessions District";

(c) in Form 2A—

(i) in the title, omit the large bracket, "Petty Sessions District of", and "County Court Division of"; and

(ii) at the end, omit "for the said Petty Sessions District";

(d) in Form 3—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County Court division of";

(ii) for "for the Petty Sessions District of …in the County Court Division of …", substitute "at…"; and

(iii) at the end, omit "for the said Petty Sessions District";

(e) in Forms 5 and 6—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of"; and

(ii) for "for the Petty Sessions District of … in the County [Borough] of ….", substitute "at…";

(f) in Form 8—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of"; and

(ii) at the end, omit "for the said Petty Sessions District";

(g) in Forms 9 and 10—

(i) for "for the Division of …" substitute "sitting at…"; and

(ii) at the end, omit "for the Petty Sessions District of … in the County Court Division of ….";

(h) in Form 11—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of"; and

(ii) at the end, omit "for the said Petty Sessions District";

(i) in Form 12—

(i) for "for the Division of …" substitute "sitting at…"; and

(ii) at the end, omit "for the Petty Sessions District of … in the County Court Division of ….";

(j) in Form 13—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County Court Division of";

(ii) for "for the Division of …", substitute "sitting at" in each place where it occurs; and

(iii) for "for the petty sessions district of … in the County Court Division of ….", substitute "at…";

(k) in Form 14—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County Court Division of";

(ii) for "for the Division of …", substitute "at…"; and

(iii) at the end, omit "for the said Petty Sessions District"; and

(l) in Form 15—

(i) in the title, omit "Petty Sessions District of" and "County [Borough] of";

(ii) for "this court", substitute "a court of summary jurisdiction sitting at…"; and

(iii) at the end, omit "for the above-named Petty Sessions District".

Amendment to the Magistrates' Courts (Suspension of Disqualification for Driving) Rules (Northern Ireland) 1968

4. The Magistrates' Courts (Suspension of Disqualification for Driving) Rules (Northern Ireland) 1968(**4**) are amended as follows—

(1) For the title to rule 2, substitute "Application for suspension of disqualification".

(2) In rule 2—

(a) in paragraph (b), omit "and";

(b) omit paragraph (c); and

(c) for "the resident magistrate who is so sitting", substitute "a court of summary jurisdiction".

(3) Omit rules 3 and 4.

(4) In rule 5—

(a) in paragraph (2), for "for the petty sessions district in which the application is to be heard", substitute "of petty sessions"; and

(b) omit paragraph (3).

(5) Omit rules 6 and 7.

Amendment to the Magistrates' Courts (School Attendance Proceedings) Rules (Northern Ireland) 1969

5. Rule 2 of the Magistrate's Courts (School Attendance Proceedings) Rules (Northern Ireland) 1969(**5**) is amended as follows—

(a) in paragraph (1), omit "Subject to paragraph (2),"; and

(b) omit paragraph (2).

Amendment to the Magistrates' Courts (Maintenance and Affiliation) Rules (Northern Ireland) 1971

6. The Magistrates' Courts (Maintenance and Affiliation) Rules (Northern Ireland) 1971(**6**) are amended as follows—

(1) In the Schedule—

(**4**) S.R.& O. (N.I.) 1968 No. 175
(**5**) S.R.& O. (N.I.) 1969 No. 300
(**6**) S.R. & O. (N.I.) 1971 No. 180

(a) in Form 2—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of";

(ii) omit "for the above-named petty sessions district"; and

(iii) omit "for that district"; and

(b) in Form 3—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of"; and

(ii) omit "for the above-named Petty Sessions District".

Amendment to the Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules (Northern Ireland) 1975

7. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Republic of Ireland) Rules (Northern Ireland) 1975(**7**) are amended as follows—

(1) In rule 15—

(a) in paragraph (1), for "within the petty sessions district for which the clerk acts", substitute "in Northern Ireland"; and

(b) in paragraph (2), for "such petty sessions district", substitute "Northern Ireland".

(2) In the Schedule—

(a) in Form 1—

(i) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of";

(ii) for "for the above-named petty sessions district", substitute "at…"; and

(iii) for "for the above-named District", substitute "sitting at…"; and

(b) in Form 2—

(i) in the title, omit "Petty Sessions District of" and "County [Borough] of"; and

(ii) omit "for the above-named petty sessions district".

Amendment to the Magistrates' Courts (Recovery Abroad of Maintenance) Rules (Northern Ireland) 1975

8. In the Form in the Schedule to the Magistrates' Courts (Recovery Abroad of Maintenance) Rules (Northern Ireland) 1975(**8**) in the title, omit the large bracket, "Petty Sessions District of" and "County [Borough] of".

Amendment to the Magistrates' Courts (Blood Tests) Rules (Northern Ireland) 1978

9. In the Schedule to the Magistrates' Courts (Blood Tests) Rules (Northern Ireland) 1978(**9**) in Form 2, in the title, omit "Petty Sessions District of" and "County [Borough] of".

(**7**) S.R. 1975 No. 52
(**8**) S.R. 1975 No. 58
(**9**) S.R. 1978 No. 376

Amendment to the Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules (Northern Ireland) 1980

10. The Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Hague Convention Countries) Rules (Northern Ireland) 1980(**10**) are amended as follows—

(1) In rule 12, in paragraphs (1) and (3), for "within his petty sessions district" substitute "in Northern Ireland".

(2) In Schedule 1—

(a) in Form 1—

(i) in the title, omit "Petty Sessions District of" and "County Court Division of"; and

(ii) omit "for the above mentioned district";

(b) in Form 2, in the title, omit "Petty Sessions District of" and "County Court Division of"; and

(c) in Form 3—

(i) in the title, omit "Petty Sessions District of" and "County Court Division of";

(ii) omit "for the above-named petty sessions district"; and

(iii) for "for the said petty sessions district", substitute "sitting at…".

Amendment to the Magistrates' Courts (Re-registration of Maintenance Orders) Rules (Northern Ireland) 1980

11. The Magistrates' Courts (Re-registration of Maintenance Orders) Rules (Northern Ireland) 1980(**11**) are amended as follows—

(1) In rule 6(1), omit "acting for the same petty sessions district as the court which made the order" and "of the court which made the order".

(2) In rule 9(1), omit "acting for the same petty sessions district as the court which made the order" and "of the court which made the order".

(3) In rule 12(1), omit "acting for the same petty sessions district as the court which made the order" and "of the court which made the order".

Amendment to the Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 1) Rules (Northern Ireland) 1986

12. The Magistrates' Courts (Betting, Gaming, Lotteries and Amusements) (No. 1) Rules (Northern Ireland) 1986(**12**) are amended as follows—

(1) Omit rule 2(3).

(2) In rule 3—

(a) omit paragraph (1); and

(b) omit paragraph (2).

(3) Omit rule 9(1).

(4) In the Schedule—

(a) in Forms 1 to 8—

(i) in the title, omit "Petty Sessions District of" and "County Court Division of"; and

(**10**) S.R. 1980 No. 224
(**11**) S.R. 1980 No. 225
(**12**) S.R. 1986 No. 133