1991 No. 244

MAGISTRATES' COURTS

Magistrates' Courts (Criminal Justice (International Co-operation) Act 1990) Rules (Northern Ireland) 1991

Made	*11th June 1991*
Coming into operation . .	*1st July 1991*

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**) and section 10 of the Criminal Justice (International Co-operation) Act 1990(**b**), on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

Citation and commencement

1. These rules may be cited as the Magistrates' Courts (Criminal Justice (International Co-operation) Act 1990) Rules (Northern Ireland) 1991 and shall come into operation on 1st July 1991.

Interpretation

2. In these rules "the Act" means the Criminal Justice (International Co-operation) Act 1990.

Service of summons outside the United Kingdom

3. Where a summons is issued under section 2(1) of the Act it shall be sent by the clerk of petty sessions to the Secretary of State.

Proof of service of summons outside the United Kingdom

4.—(1) The service on any person of a summons issued under section 2(1) of the Act may be proved in any proceedings by a certificate given by or on behalf of the Secretary of State.

(2) A statement in any such certificate as is mentioned in paragraph (1):

(*a*) that a summons has been served;

(*b*) of the manner in which service was effected;

(*c*) of the date upon which a summons was served;

shall be admissible as evidence of any facts so stated.

Application for letter of request

5.—(1) An application to a resident magistrate under section 3(1) of the Act shall, subject to paragraph (4), be made in writing and shall—

(**a**) S.I. 1981/1675 (N.I. 26)
(**b**) 1990 c. 5