1991 No. 232

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (Amendment No. 2) 1991

Made . . . . . *3rd June 1991*

Coming into operation . *in accordance with rule 1*

To be laid before Parliament

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(**a**) 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 and all other powers enabling us in that behalf as follows:

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment No. 2) 1991 and shall come into operation on the same day as Article 359 of the Insolvency (Northern Ireland) Order 1989(**b**) comes into operation.

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

Business of the Supreme Court

2. Order 1 shall be amended as set out in the Schedule.

Transfer of proceedings

3. Order 4, rule 2, shall be amended by substituting the following rule—

"*Transfer of proceedings after making of order for administration of estate*

2. Where an order for the administration under the direction of the Court of the estate of a deceased person is made in the Chancery Division,

(a) 1978 c. 23
(b) S.I. 1989/2405 (N.I. 19)
(c) S.R. 1980 No. 346; the relevant amending instruments are S.R. 1981 No. 224, S.R. 1983 No. 407 and S.R. 1989 No. 287

then, notwithstanding anything in rule 1, the Chancery Judge may by order transfer to that Division any pending cause or matter brought by or against the executors or administrators of that person and assigned to some other Division.''.

Originating summonses

4. Order 7, rule 5(1), shall be amended by adding after the words ''the Chancery Office'' the words ''or the Bankruptcy and Companies Office where the business has been assigned to that office''.

Appeals to the Court of Appeal

5. Order 59, rule 4(1), shall be amended by substituting for sub-paragraph (*b*) the following paragraph—

''(*b*) in the case of an appeal from an order or decision made or given in the matter of any proceedings under the Bankruptcy Acts (Northern Ireland) 1857 to 1980, Part XX and XXI of the Companies (Northern Ireland) Order 1986 or the Insolvency (Northern Ireland) Order 1989, 28 days;''

The Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984

6. Order 115 shall be amended as follows—

(*a*) rule 2 is revoked;

(*b*) by inserting in rule 3(1), after the words ''Probate and Matrimonial Office'' the words ''or the Bankruptcy and Companies Office where the business has been assigned to that office.''.

Revocation

7. Order 96 and Forms 44 to 47 in Appendix A are hereby revoked.

Dated 23rd January 1991.

Brian Hutton
Donald Murray
J. P. Higgins
Brian Kerr
Owen Catchpole

I concur, *Mackay of Clashfern*, C.

Dated 3rd June, 1991