1989 No. 394

SUPREME COURT, NORTHERN IRELAND

CROWN COURT

The Crown Court (Advance Notice of Expert Evidence) Rules (Northern Ireland) 1989

Made . . . . . *6th October 1989*

Coming into operation . . *1st November 1989*

To be laid before Parliament

We, the Crown Court Rules Committee, in exercise of the powers conferred upon us by section 52(1) of the Judicature (Northern Ireland) Act 1978(**a**) and Article 80 of the Police and Criminal Evidence (Northern Ireland) Order 1989(**b**), hereby with the concurrence of the Lord Chancellor make the following Rules:—

1. These Rules may be cited as the Crown Court (Advance Notice of Expert Evidence) Rules (Northern Ireland) 1989 and shall come into operation on 1st November 1989.

2. These Rules shall not have effect in relation to any proceedings in which—

(*a*) a person has been committed for trial; or

(*b*) an order for a retrial has been made; or

(*c*) a Notice of Transfer has been given under Article 3 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988(**c**);

before 1st November 1989.

3.—(1) If any party to criminal proceedings before the court proposes to adduce expert evidence not already disclosed to the other party or parties (whether of fact or opinion) in the proceedings (otherwise than in relation to sentence) he shall—

(*a*) furnish the other party or parties with a statement in writing of any finding or opinion which he proposes to adduce by way of such evidence as soon as practicable after it is received and in any event, not less than 28 days before the beginning of the trial unless the expert evidence he proposes to adduce is not available within that time, in which case the statement in writing shall be furnished as soon as practicable after it became available; and

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(**a**) 1978 c. 23
(**b**) S.I. 1989/1341 (N.I. 12)
(**c**) S.I. 1988 No. 1846 (N.I. 16)