1985 No. 269

MAGISTRATES' COURTS

Magistrates' Courts (Amendment No. 2) Rules (Northern Ireland) 1985

Made . . . . . *25th September 1985*

Coming into operation . . . *1st November 1985*

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**) 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 (Amendment No. 2) Rules (Northern Ireland) 1985 and shall come into operation on 1st November 1985.

Interpretation

2. In these Rules "the Principal Rules" means the Magistrates' Courts Rules (Northern Ireland) 1984(**b**) and a Rule or Form referred to by number means a Rule or Form so numbered in the Principal Rules.

Amendment of the Principal Rules

3.—(1) In Rule 13—

(*a*) for paragraph (1) there shall be substituted the following paragraph—

"(1) Where a resident magistrate or the clerk of petty sessions is satisfied that it is not reasonably practicable to serve a summons to which paragraph (2) of Rule 11 applies in accordance with that Rule, the resident magistrate or clerk of petty sessions may give permission by an endorsement signed by him on the original summons for service to be effected by post in accordance with paragraph (2)(*a*).";

(*b*) in paragraph (11) for the expression "9(*a*) to (*e*)" there shall be substituted the expression "8(*a*) to (*e*)".

(2) In Rule 105(1) the words "or for an order for remission of the sum in whole or in part" shall be omitted.

(3) In Forms 68 and 69 in the fourth recital after the words "[a young offenders centre]" there shall be inserted the words "and that there is no such record as is mentioned in Article 3(7) of the Treatment of Offenders (Northern Ireland) Order 1976".

Dated 25th September 1985 *Hailsham of St. Marylebone, C.*

(**a**) S.I. 1981/1675 (N.I. 26)
(**b**) S.R. 1984 No. 225