1983 No. 407

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (Amendment No. 4) 1983

Made	*1st December 1983*
Coming into operation	*1st January 1984*
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 as follows:

Citation, interpretation and commencement

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment No.4) 1983 and shall come into operation on 1st January 1984.

(2) In these Rules an Order referred to by number means the Order so numbered in the Rules of the Supreme Court (Northern Ireland) 1980(**b**).

Assignment to Chancery Division

2. Order 1, rule 10(*a*) shall be amended as follows:—

(1) For the words "for any of the following purposes" there shall be substituted the words "in relation to".

(2) For sub-paragraph (viii) there shall be substituted the following:—

"(viii) the specific performance of an agreement for the sale, purchase, exchange, mortgage or charge of any property or for the assignment of a lease of any property with or without an alternative claim for damages, or for rescission of such an agreement or for the forfeiture or return of any deposit made under such an agreement."

(3) The following sub-paragraph shall be added:—

"(x) copyright."

Assignment to Queen's Bench Division

3. Order 1, rule 11, shall be amended as follows:—

(1) By the substitution for paragraph (*d*) of the following paragraph—

(**a**) 1978 c. 23

(**b**) S.R. 1980 No. 346; the relevant amending instruments are S.R. 1980 No. 433; S.R. 1981 No. 224; S.R. 1983 No. 183

"(*d*) applications for writs of habeas corpus;"

(2) By the addition of the following paragraphs:—

"(*e*) applications for judicial review;

(*f*) all causes and matters which under by virtue of or in pursuance of any statutory provision are assigned to the Queen's Bench Division."

Choice of Division

4. The following rule shall be inserted in Order 1:—

"*Choice of Division by plaintiff*

12A.—(1) Without prejudice to the power of transfer under Order 4, rules 1 or 2, the person by whom any cause or matter is commenced in the High Court shall allocate it to whatever Division he thinks fit by marking the document by which the cause or matter is commenced with the name of that Division.

(2) All interlocutory or other steps or proceedings taken in a cause or matter shall be taken in the Division to which the cause or matter is for the time being allocated or transferred.

(3) The fact that a cause or matter falls within a class of business assigned by these Rules to a particular Division does not make it obligatory for it to be allocated to that Division."

Companies Acts (N.I.) 1960 to 1982

5.—(1) In rules 10(*b*) and 15 of Order 1, for the words "the Companies Acts (Northern Ireland) 1960 and 1978" there shall be substituted the words "the Companies Acts (Northern Ireland) 1960 to 1982".

(2) In rule 18, for paragraphs (*b*) and (*c*) there shall be substituted the following paragraph:—

"(*b*) the measurement of the remuneration of accountants in bankruptcy and of accountants and liquidators in the winding-up of companies by the Court."

Transfer between Divisions

6. Order 4, rule 1, shall stand as paragraph (1) of that rule and the following paragraph shall be added as paragraph (2):—

"(2) The fact that a cause or matter falls within a class of business assigned by these Rules to a particular Division does not make it obligatory for it to be transferred to that Division.".

Appeals from Social Security Commissioner

7. Order 94, rule 2, shall stand as paragraph (1) of that rule, with the insertion at the beginning of the words "Subject to paragraph (2)", and the following paragraph shall be added as paragraph (2):—

"(2) On an appeal under section 14 of the Social Security Act 1980 the requisition to state a case must be lodged in the Office of the Social Security Commissioners within 6 weeks commencing on the date leave to appeal was granted."

Companies Acts (Northern Ireland) 1960 to 1982

8. Order 102 shall be amended as follows:—

(1) For the title there shall be substituted the title "THE COMPANIES ACTS (NORTHERN IRELAND) 1960 to 1982";

(2) For rule 1 there shall be substituted the following rule:—