1981 No. 224

SUPREME COURT PROCEDURE

Rules of the Supreme Court (Northern Ireland) (Amendment No. 2) 1981

Made . . . . . *9th July 1981*

Coming into operation . . . *1st September 1981*

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 pleading, 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:

1.—(1) These rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment No. 2) 1981 and shall come into operation on 1st September 1981.

(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**).

2. Order 1 (Citation, etc. and business of the Supreme Court) shall be amended as follows:

(1) In paragraph (1) of rule (3), after the definition of "Central Office" there shall be inserted the following definition:—

" "Long Vacation" means the interval between 30th June and 5th September."

(2) In Part II, heading "A", for the word "SUPREME" there shall be substituted the word "HIGH".

(3) In rule 18(*a*)(iv), for the words "Taxing Master" there shall be substituted the words "Master (Taxing Office)".

3. For rule 5 of Order 7 (Originating summonses) there shall be substituted the following rule:—

"*Issue of summons*

5.—(1) Except where otherwise expressly provided by these Rules, an originating summons must be issued out of the Central Office or, in the case of an originating summons by which proceedings assigned to the Chancery Division are begun, the Chancery Office.

(2) Order 6, rule 6, paragraphs (1), (4), (5) and (6) shall apply in relation to an originating summons as it applies in relation to a writ.

[*E.r. 5*]"

4. In rule 3(5) of Order 8 (Originating motions, etc.), for the reference to paragraph (2) there shall be substituted a reference to paragraph (4).

(**a**) 1978 c. 23
(**b**) S.R. 1980 No. 346

5. In rule 1(3) of Order 12 (Entry of appearance), after the comma following the words "rule 3" there shall be inserted the word "and".

6. In rule 4(5) of Order 34 (Setting down), for the reference to Part I of the Legal Aid and Advice Act (Northern Ireland) 1965(**a**) there shall be substituted a reference to Part II of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(**b**).

7. In each paragraph of rule 14 of Order 41 (Affidavits) there shall be substituted for the words "give to" the words "serve on".

8. Immediately before Order 42 (Judgments) there shall be inserted a main heading "JUDGEMENTS, ORDERS, ACCOUNTS AND INQUIRIES".

9. In rule 7(1)(*b*) of Order 42 there shall be substituted for the word "delivered" the word "served".

10. In rule 5(1) of Order 65 (Service of documents) there shall be substituted for the word "of" before the words "a document to which Order 10, rule 1, applies" the word "or".

11. In rule 3(1)(*e*) of Order 71 (Reciprocal enforcement of judgments), after the words "that the judgment" there shall be inserted the words "is not a judgment".

12. In rule 3(*b*) of Order 88 (Mortgage actions), after the words "the dwelling house is one to which" there shall be inserted the words "Part III of".

13. In the Schedule to Order 108 (Court bonds), for the reference to "Royal Insurance Company Limited" there shall be substituted a reference to "Royal Insurance (U.K.) Limited" and the references to "The Liverpool London & Globe Insurance Company Limited" and "The London & Lancashire Insurance Company Limited" shall be deleted.

14—(1) In the Arrangement of Orders before Order 1, the entry relating to Order 111 shall be amended by substituting for the words "section 88 of the Judgments (Enforcement) Act (Northern Ireland) 1969" the words "Article 107 of the Judgments Enforcement (Northern Ireland) Order 1981."

(2) In each of the rules mentioned in Column 1 of the Schedule hereto the words mentioned opposite thereto in Column 2 shall be amended by substituting therefor the words mentioned opposite thereto in Column 3.

Dated the 29th day of June 1981.

Robert Lowry
Donald Murray
R. D. Carswell
J. J. Sheil

I concur,

Hailsham of St. Marylebone, C.

Dated the 9th day of July 1981.

(**a**) 1965 c. 8 (N.I.)
(**b**) 1981/228 (N.I. 8)