1981 No. 166

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (Amendment) 1981

Made . . . . . *14th May 1981*

Coming into operation . . . *1st July 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) 1981 and shall come into operation on 1st July 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 16 shall be amended as follows—

(1) In paragraph (1) of rule 2 for the words "that a notice of motion for leave be issued" there shall be substituted the words "a summons for leave to be issued".

(2) In paragraph (6) of rule 8 for the words "to the other parties particulars in Form 17" there shall be substituted the words "particulars thereof in writing to the other parties".

(3) Immediately after rule 12 the following rule shall be inserted—

"*Notice to insurers*

13.—(1) The notice of proceedings to be given by a claimant under Article 98 of the Road Traffic (Northern Ireland) Order 1981(**c**) shall be in Form 19A in Appendix A.

(2) An application for an order against the insurer or giver of security under the said Article shall be brought by motion on notice within 6 months of the date upon which the claimant obtained judgment against the owner or driver of the motor vehicle."

3. Order 62 shall be amended as follows:—

(1) In rule 14(1), the following sub-paragraph shall be inserted after sub-paragraph (*d*)—

"(*e*) correct any clerical mistake in any certificate or order, or any error arising therein from any accidental slip or omission;"

and the existing sub-paragraph (*e*) shall be re-lettered as sub-paragraph (*f*).

(**a**) 1978 c. 23
(**b**) S.R. 1980 No. 346
(**c**) S.I. 1981/154 (N.I. 1)

(2) In rule 15(1), the following sub-paragraph shall be inserted after sub-paragraph (*a*):—

"(*b*) extend the period provided by rule 35(2) beyond the signing of the Taxing Master's certificate by setting the certificate aside;"

and the existing sub-paragraph (*b*) shall be re-lettered as sub-paragraph (*c*).

(3) For Table A of Part 1 of Appendix 3 there shall be substituted the following Table:—

"A. BASIC COSTS

	Amount to be allowed in cases under the following sub-paragraphs of paragraph 1 of this Appendix		
	(*a*) £ p	(*b*) £ p	(*c*) £ p
If the amount recovered is not less than £350 but less than £1,000—			
(i) where the writ was served by post	18.00	24.00	38.00
(ii) where the writ was served on the defendant personally	21.00	27.00	41.00
not less than £1,000 but less than £1,200—			
(i) where the writ was served by post	30.00	40.00	58.00
(ii) where the writ was served on the defendant personally	33.00	43.00	61.00
not less than £1,200—	42.00	60.00	90.00

(*b*) Table B (Additional Costs) shall be amended by substituting for the figures shown in column (i) (not less than £350 but less than £1,200) the following figures:—

	£. p.
(1)	"3.00"
(2)	"8.00"
(3) (*a*)	"16.00"
(*b*)	"19.00"
(4)	"2.50"
(5)	"5.50"
(6)	"6.00"

Nothing in this paragraph shall apply in relation to a writ of summons issued before 1st July 1981, unless judgment in default of appearance or in default of defence or under Order 14 is obtained after that date."

(4) In paragraph 2 of Part 2 of Appendix 3, delete the words "£350 but less than".