1980 No. 409

MAGISTRATES' COURTS

Magistrates' Courts (Amendment No. 4) Rules (Northern Ireland) 1980

Made	*7th November 1980*
Coming into operation . . .	*1st December 1980*

The Lord Chancellor, in pursuance of section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(**a**) and Article 41(6) of the Domestic Proceedings (Northern Ireland) Order 1980(**b**), 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. 4) Rules (Northern Ireland) 1980 and shall come into operation on 1st December 1980.

Interpretation

2. In these rules—

"the Rules" means the Magistrates' Courts Rules (Northern Ireland) 1974(**c**) and any reference to a rule by number is a reference to that rule as numbered therein;

"the Act" means the Magistrates' Courts Act (Northern Ireland) 1964.

Review of commitals

3. After rule 132 there shall be inserted the following rule:

"*Application for review of warrant of commitment*

132A. A person imprisoned under a warrant of commitment issued by a magistrates' court under section 114 of the Act who is not detained otherwise than under that section may make an application by way of complaint in Form 183 to a resident magistrate requesting that the warrant be cancelled and stating the grounds of the application."

4. After Form 182 there shall be inserted Form 183 in the Schedule to these rules.

Dated 7th November 1980.

Hailsham of St. Marylebone, C.

(**a**) 1964 c. 21 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(**b**) S.I. 1980/563 (N.I. 5)
(**c**) S.R. 1974 No. 334 (II, p. 1541) as amended by S.R. 1976 No. 120 (I, p. 490) and S.R. 1977 No. 171 (II, p. 1001)