1979 No. 132

JUDICATURE, NORTHERN IRELAND

MAGISTRATES' COURTS

Magistrates' Courts (Amendment) Rules (Northern Ireland) 1979

Made . . . . . *27th March* 1979

Coming into operation . . . *18th April* 1979

The Lord Chancellor, in exercise of the powers conferred on him by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(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) Rules (Northern Ireland) 1979 and shall come into operation on 18th April 1979.

Amendment of the 1974 *Rules*

2. The provisions of the Magistrates' Courts Rules (Northern Ireland) 1974(b) specified in the first column of the Schedule are hereby amended to the extent specified in the second column thereof.

Dated 27th March 1979.

Elwyn-Jones, C.

(a) 1964 c. 21 (N.I.)
(b) 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

SCHEDULE

Amendments to Magistrates' Courts Rules (Northern Ireland) 1974

Provision amended	*Amendment*
Rule 2	After paragraph (2) there shall be inserted the following paragraph— "(3) In these Rules the expression "chief clerk" has the meaning assigned to it by section 152(1) of the County Courts Act (Northern Ireland), 1959.".
Rule 9	For paragraph (4) there shall be substituted the following paragraph— "(4) A single summons may be issued against a person in respect of several complaints but the summons shall state each offence or cause of complaint separately and shall have effect (except for the purposes of an order made under section 116 of the Judicature (Northern Ireland) Act 1978) as several summonses, each issued in respect of one complaint.".
Rule 19	In paragraph (1) for the words "Secretary of State" there shall be substituted the words "Lord Chancellor".
Rule 28	In paragraph (1) for the words "clerk of the Crown and peace" there shall be substituted the words "chief clerk for the county court division in which is located the place of trial". In paragraph (2) for the words from the beginning to "clerk of the Crown and peace" there shall be substituted the words "Within seven days after the committal of any person for trial, and in any case before the date on which he is to be arraigned, the clerk of petty sessions shall send to the chief clerk for the county court division in which is located the place of trial".
Rule 42	In paragraph (1) for the words from the beginning to "clerk of the Crown and peace" there shall be substituted the words "Within seven days after the close of a preliminary enquiry at which any person is committed for trial, and in any case before the date on which he is to be arraigned, the clerk of petty sessions shall send to the chief clerk for the county court division in which is located the place of trial".
Rule 48	In paragraph 4(*a*) for the words "clerk of the Crown and peace for the county in which the accused has been committed for trial" there shall be substituted the words "chief clerk for the county court division in which is located the place of trial".
Rule 51	For rule 51 there shall be substituted the following rule— "*Accused to be told of his right to apply to High Court or Crown Court for bail* 51.—(1) Where a magistrates' court remands a person in custody it shall inform him of his right (where such right exists) to apply for bail to the High Court. (2) Where a magistrates' court commits a person for trial in custody it shall inform him of his right (where such right exists) to apply for bail to the Crown Court or the High Court.".