1977 No. 171

MAGISTRATES' COURTS

Magistrates' Courts (Amendment) Rules (Northern Ireland) 1977

Made . . . . . *20th June* 1977

Coming into operation . . . *1st September* 1977

To be laid before Parliament

The Secretary of State(a) in pursuance of section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(b), section 215(5C) of the Army Act 1955(c), section 215(5C) of the Air Force Act 1955(d) and section 124(6C) of the Naval Discipline Act 1957(e) on the recommendation 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) 1977 and shall come into operation on 1st September 1977.

Amendment of the 1974 *rules*

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

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
20th June 1977

(a) Formerly the Minister of Home Affairs for Northern Ireland; *see* S.I. 1973/2163 (1973 III, p. 7541)
(b) 1964 c. 21 (N.I.)
(c) 1955 c. 18
(d) 1955 c. 19
(e) 1957 c. 53
(f) S.R. 1974 No. 334 (II, p. 1541)

SCHEDULE

Amendments to the Magistrates' Courts Rules (Northern Ireland) 1974

Provision amended	*Amendment*
Rule 32	Paragraph (5) of rule 32 shall be omitted.
Part VII	After rule 107 there shall be inserted the following rule: "AA. FINANCIAL PENALTY ENFORCEMENT ORDERS 107A. A financial penalty enforcement order under section 133A of the Army Act 1955, section 133A of the Air Force Act 1955 or section 128F of the Naval Discipline Act 1957 shall be registered by means of an entry of the particulars of the order in the Order Book signed by the clerk of petty sessions.".
Rule 108	At the end of rule 108 there shall be added the following paragraph: "(5) Where an offender is dealt with by any of the methods specified in paragraphs (*a*), (*b*), (*c*) and (*d*) of section 19(1) of the said Act of 1968, the clerk of petty sessions for the petty sessions district in which the suspended sentence was passed shall enter a note of the particulars of the method by which the offender has been dealt with opposite the entry in the Order Book made at the time the suspended sentence was passed.".
Rule 110	At the end of rule 110 there shall be added the following paragraph: "(3) A note relating to any variation or discharge of a probation order or the substitution for a probation order of an order for conditional discharge shall be made opposite the entry relating to the making of the probation order by the clerk of petty sessions for the petty sessions district in which it was made.". After rule 110 there shall be inserted the following rule: "*Entry of order made under section 4 or 6 of Probation Act (Northern Ireland) 1950 upon breach of probation order or commission of further offence* 110A. Where a court of summary jurisdiction makes an order under section 4(3) or section 6(5) or (7) or a county court or a court of assize makes an order under section 6(6) of the Probation Act (Northern Ireland) 1950, the clerk of petty sessions for the petty sessions district in which the order of conditional discharge or, as the case may be, the probation order was made shall make a note of the order under the said section 4 or 6 opposite the entry in the Order Book relating to the making of the order of conditional discharge or, as the case may be, the probation order.".