1976 No. 200

MAGISTRATES' COURTS

Magistrates' Courts (Amendment No. 3) Rules (Northern Ireland) 1976

Made . . . . . *6th July* 1976

Coming into operation . . . *1st September* 1976

To be laid before Parliament

The Secretary of State(a) in pursuance of section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(b), 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 No. 3) Rules (Northern Ireland) 1976 and shall come into operation on 1st September 1976.

Amendment of the 1974 *Rules*

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

Merlyn Rees
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
6th July 1976

(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) S.R. 1974 No. 334 (II, p. 1541)

SCHEDULE

Amendments to Magistrates' Courts Rules (Northern Ireland) 1974

Provision amended	*Amendment*
Rule 11	In paragraph (3) after the word "complainant" there shall be added the words "or a director, partner or employee of the complainant".
Part II	After rule 22 there shall be inserted the following rule: *"Signing of documents on behalf of clerk of petty sessions* 22A. Where these Rules provide that a document shall or may be signed by the clerk of petty sessions or that an affidavit or statutory declaration may be sworn or made before or recognizance may be taken by the clerk of petty sessions, that document may be signed by, or, as the case may be, that affidavit or declaration may be sworn or made before or that recognizance may be taken by a person holding a rank not lower than court clerk or relief clerk duly authorised by the clerk of petty sessions or by a resident magistrate to do so."
Rule 26	After paragraph (15) there shall be inserted the following paragraph: "(15A) Where the court commits the accused for trial upon a charge other than a charge specified in the statement of complaint, the court shall cause that charge to be put into writing and read to the accused and inform him that he is so committed."
Rule 28	In paragraph (2) after sub-paragraph (*b*) there shall be inserted the following sub-paragraph: "(*ba*) where the charge or charges upon which the accused is committed for trial differ from the charge or charges in the complaint or complaints set out in the statement of complaint first read or put to the accused under Rule 26(2) or (3), a statement of the charges upon which the accused was committed for trial;"
Rule 35	After paragraph (10) there shall be added the following paragraph: "(11) Where the court commits the accused for trial upon a charge other than a charge specified in the statement of complaint, the court shall cause that charge to be put into writing and read to him and inform him that he is so committed."