1976 No. 170

MAGISTRATES' COURTS

Magistrates' Courts (Extra-territorial Offences) Rules (Northern Ireland) 1976

Made . . . . . 2*nd June* 1976

Coming into operation . . . . . 15*th June* 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) hereby, on the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, makes the following rules:

Citation and commencement

1. These rules may be cited as the Magistrates' Courts (Extra-territorial Offences) Rules (Northern Ireland) 1976 and shall come into operation on 15th June 1976.

Modification of 1974 *Rules in relation to proceedings for extra-territorial offences*

2. Where a person is charged with an extra-territorial offence within the meaning of the Criminal Jurisdiction Act 1975(c) and, accordingly section 4(3) of that Act has effect in relation to the proceedings, the provisions of the Magistrates' Courts Rules (Northern Ireland) 1974(d) specified in the first column of the Schedule shall, in relation to those proceedings, have effect subject to the modifications specified in the second column of the schedule.

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

Northern Ireland Office
2nd June 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) 1975 c. 59
(d) S.R. 1974 No. 334 (II, p. 1541)

SCHEDULE

Modification of 1974 Rules in relation to proceedings for an extra-territorial offence within the meaning of the Criminal Jurisdiction Act 1975

Provision Modified	*Modification*
Rule 32	For paragraph (1) there shall be substituted the following paragraphs:— "(1) The complainant or prosecutor on his behalf shall— (*a*) furnish a written notice of the proceedings in Form 26 accompanied by copies of the documents referred to in section 2(2)(*a*), (*b*) and (*c*) of the Act of 1968 to the clerk of petty sessions for the district in which the preliminary enquiry is to be held; and (*b*) cause a copy of the written notice together with the documents referred to in sub-paragraph (*a*) to be served on the accused, or if there is more than one accused person, upon each such person, a reasonable time before the day fixed for the conduct of the preliminary enquiry; and, accordingly, the said notice and documents shall be treated, for the purposes of the Act of 1968 and these rules, as if they had been furnished and served in pursuance of the said section 2. (1A) The list of witnesses referred to in Form 26 giving the number of pages in each written statement of evidence shall be in Form 27.". For paragraph (4) there shall be substituted the following paragraph:— "(4) The notice, copies of the documents and list referred to in paragraphs (1) and (1A) shall be furnished to the clerk of the petty sessions in accordance with paragraph (1)— (*a*) by serving them upon him personally at his office or upon a responsible member of his office thereat; or (*b*) by enclosing them in an envelope and sending it addressed to him at his office by registered post or by the recorded delivery service.".
Rule 33	For the words "section 2(2) of the Act of 1968" there shall be substituted the words "Rule 32(1) and (1A)".
Rule 34	In paragraph (1) for the words "section 2(2) thereof" there shall be substituted the words "Rule 32(1)" and the words from "and of a preliminary investigation" to the end shall be omitted. In paragraph (2) the words from "and ask him" to the end shall be omitted. Paragraphs (4) and (5) shall be omitted.
Rule 42	In paragraph (2) for the words "section 2(1) of the said Act of 1968" there shall be substituted the words "Rule 32(1)".