STATUTORY RULES AND ORDERS OF A GENERAL CHARACTER ISSUED IN 1969

1969. No. 1 [NC]

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (No. 1) 1969

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 7 of the Northern Ireland Act 1962(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1. In Order XXXVI of the Rules of the Supreme Court (Northern Ireland) 1936(b) for rules 23 and 24 there shall be substituted the following rules—

"**23.**—(1) The party entering the action for trial shall deliver to the proper officer of the Central Office a copy of the notice of trial together with two bundles (one of which shall serve as the record and the other be for the use of the Judge) each consisting of one copy of each of the following documents, that is to say—

(*a*) the writ,

(*b*) the pleadings (including any affidavits ordered to stand as pleadings),

(*c*) any notice for particulars and any answer thereto,

(*d*) subject to Order XXII rule 11, any interlocutory notices or summonses, the orders made thereon and all grounding affidavits and statements of fact,

(*e*) where the action is a probate action, the order or consent specifying the place and mode of trial,

(*f*) the requisite legal aid documents.

(2) The party entering an action for trial must thereupon notify the other parties of such entry.

(3) Each of the said bundles must be indexed, paged and bound in the order set out in paragraph (1) and the bundle which is to serve as the record must be stamped with the stamp denoting a payment of the fee payable on the entry of the action and have endorsed thereon the names and addresses of the solicitors for the parties or, in the case of a party who has no solicitor, of the party himself.

(4) The party who has entered the action for trial must deliver to the proper officer two copies of any documents of the nature specified in paragraph (1) which have come into existence between the date of entry for trial and the day preceding the hearing.

(5) In this rule "the requisite legal aid documents" means any document which is required by regulations made under Part I of the Legal Aid and Advice Act (Northern Ireland) 1965.

(a) 10 & 11 Eliz. 2. c. 30. (b) S.R. & O. 1936, No. 70 (II, p. 2559).

24. Where a third party notice has been issued under Order XVIA, the party issuing the notice (whether with or without leave) must, on receiving notice that the action has been entered for trial or on entering the action for trial (unless the third party proceedings have been disposed of or abandoned), deliver to the proper officer of the Central Office two bundles prepared in accordance with rule 23(3) (one of which shall serve as the record and the other for the use of the Judge) each consisting of one copy of the third party notice and all documents in the third party proceedings corresponding to those specified in rule 23(1)."

2. For Order XLIV there shall be substituted the Order XLIV set out in the Schedule hereto.

3. In Order LXVI, for rule 3 there shall be substituted the following rule—

"**3.**—(1) Every document prepared by a party for use in the Supreme Court must be legibly written or printed, or partly written or partly printed, on paper of durable quality measuring approximately 11·69 inches long by 8·27 inches wide with an inner margin 1·50 inches wide, unless the nature of the document renders the use of paper of such a size impossible.

(2) Copies of all documents required for use in the Supreme Court (otherwise than for filing) or as certified or office copies may, instead of being printed or written, be copies produced by photographic or other process giving a positive and permanent representation free from blemishes."

4. In Order LXX, rule 80, paragraph (*a*) in the definition of "Undefended cause" shall be deleted.

5. In Order LXXXVIII, for rules 6 and 6A there shall be substituted the following rule—

"**6.**—(1) Subject to paragraph (2), the provisions of Order LXVI rule 3 shall apply to all proceedings to which this Order relates.

(2) Order LXVI rule 3(1) shall not apply to a notice to creditors, an affidavit of proof of debt or an instrument appointing a proxy."

6.—(1) These rules may be cited as the Rules of the Supreme Court (Northern Ireland) (No. 1) 1969.

(2) This rule and rules 1, 2 and 4 shall come into force on 3rd February 1969, and rules 3 and 5 shall come into force on 1st July 1969.

Dated 1st January 1969.

Signed: *L. E. Curran*
Robert Lowry
A. McGonigal
L. I. G. Fox
James J. Napier