EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

Under this Order subsidies to local authorities, the Northern Ireland Housing Trust and housing associations are revised (upwards) in respect of houses for which tenders are submitted to the Ministry for approval, or accepted by the Trust or housing associations, after 15th December 1967.

1967. No. 332 **[NC]**

SUPREME COURT, NORTHERN IRELAND PROCEDURE

The Criminal Appeal (Northern Ireland) (Amendment) Rules 1967

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 rules for the purposes of the Criminal Appeal (Northern Ireland) Act 1930(**b**), hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1. These rules may be cited as the Criminal Appeal (Northern Ireland) (Amendment) Rules 1967, and shall come into force on 1st January 1968.

2. In rule 8 of the Criminal Appeal (Northern Ireland) Rules 1931(**c**) (hereinafter referred to as "the principal rules") for the words "shorthand note" there shall be substituted the words "shorthand notes or mechanical recording".

3. In paragraph (*b*) of rule 17 of the principal rules, immediately after the words "shorthand notes" there shall be inserted the words "or mechanical recording".

4. For rule 18 of the principal rules, the following rules shall be substituted:—

"Record of proceedings at trial

18.—(1) Except as provided by this rule, the whole of any proceedings in respect of which an appeal lies (with or without leave) to the Court shall be recorded by means of shorthand notes or by mechanical means or partly by one method and partly by the other.

(2) Where such proceedings are recorded by means of shorthand notes, except in cases of treason or capital murder, it shall not be necessary to record—

(*a*) the opening or closing speeches for the prosecution or for the defence unless the trial Judge otherwise directs, or

(*b*) any other part of such proceedings which the trial Judge directs need not be recorded.

(a) 10 & 11 Eliz. 2. c. 30. (b) 20 & 21 Geo. 5. c. 45. (c) S.R. & O. 1931, No. 319.

(3) Where it is not practicable for such proceedings or any part thereof to be recorded by means of shorthand notes or by mechanical means, the trial Judge shall direct how and to what extent the proceedings shall be recorded.

Appointment of shorthand writers

18A.—(1) The Lord Chief Justice may from time to time appoint shorthand writers for the purposes of the Act.

(2) The appointment of a shorthand writer shall be for such period and subject to such conditions as the Lord Chief Justice may determine.

Certification of shorthand notes

18B.—(1) A shorthand writer shall sign any shorthand notes taken by him and certify such notes to be the complete and correct shorthand notes taken at the trial or proceedings to which they relate.

(2) A shorthand writer shall retain any shorthand notes taken by him until he forwards them to the Registrar when directed to do so or until he destroys them on a direction in writing from the Registrar.

(3) No direction for the destruction of any such shorthand notes shall be given unless the consent of the Minister has first been obtained.

Certification and control of mechanical recordings

18C.—(1) Where any proceedings in respect of which an appeal lies to the Court are recorded in whole or in part by mechanical means the person who operated the recording machine shall deliver the recordings so made to the Clerk of the Crown and Peace after he has certified, by means of a certificate attached to each recording, that it is a complete recording or a continuous part of a complete recording taken at the trial or proceedings to which it relates.

(2) The Clerk of the Crown and Peace shall retain any recording delivered to him under this rule until he forwards it to the Registrar when directed to do so or until he destroys it on a direction in writing from the Registrar.

(3) No direction for the destruction of any such recording shall be given unless the consent of the Minister has first been obtained.

Preparation of transcript

18D.—(1) The Registrar may direct a shorthand writer or other competent person to make, in such manner as he may specify, a transcript of the whole or any part of any shorthand notes or of any recording taken by mechanical means in accordance with rule 18.

(2) Where a transcript is made in accordance with paragraph (1) it shall be verified by the person making the same by a statutory declaration in Form 6 of the Schedule hereto.

Registrar to furnish copies of transcript

18E.—(1) A transcript of the shorthand notes or of a recording taken by mechanical means of the whole or any part of any proceedings in respect of which an appeal lies to the Court, shall when required be furnished by the Registrar for—