
STATUTORY INSTRUMENTS

1980 No. 397

County Courts (Northern Ireland) Order 1980

PART V

**SUPPLEMENTAL PROVISIONS RESPECTING
JURISDICTION OF COUNTY COURTS**

(iii)

PROVISIONS SUPPLEMENTAL TO BOTH CIVIL AND CRIMINAL JURISDICTION

Practice and Procedure

Making of county court rules

47.—(1) For the purposes of or in relation to any jurisdiction exercisable by county courts, any such rules as are referred to in section 21(1) and (2) of the Interpretation Act (Northern Ireland) 1954 or Article 48 may—

- (a) be made by the Rules Committee in accordance with Article 46 and the following provisions of this Article; and
- (b) be known as “county court rules”.

[^{F1}(1A) For the purposes of this Article, “relevant authority” means—

- (a) in relation to county court rules which deal (or would deal) with an excepted matter, the Lord Chancellor; and
- (b) otherwise, the Department of Justice;

and for the purposes of this paragraph “deal with” and “excepted matter” have the same meanings as in the Northern Ireland Act 1998.]

[^{F2}(2) County court rules must be certified under the hand of the members of the Rule Committee, or any three or more of them.

(3) After making and certifying county court rules the Rules Committee must submit them to the [^{F3}relevant authority].

(4) The [^{F3}relevant authority] must, after consultation with the Lord Chief Justice, allow or disallow county court rules submitted to [^{F4}it].

(5) County court rules have effect only if the [^{F3}relevant authority] allows them.

(6) If the [^{F3}relevant authority] disallows county court rules, the [^{F3}relevant authority] must give the Rules Committee written reasons why [^{F5}it] has disallowed them.

(7) County court rules allowed by the [^{F3}relevant authority] shall come into operation on such day as the [^{F3}relevant authority] shall direct.

Changes to legislation: County Courts (Northern Ireland) Order 1980, Section 47 is up to date with all changes known to be in force on or before 23 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(8) Paragraph (9) applies if the [^{F3}relevant authority] gives the Rules Committee written notice that [^{F6}it] thinks it is expedient for county court rules to include provision that would achieve a purpose specified in the notice.

(9) The Rules Committee must make such county court rules as it considers necessary to achieve the specified purpose.

(10) Those rules must be—

- (a) made within a reasonable period after the [^{F3}relevant authority] gives notice under paragraph (8);
- (b) made in accordance with this Article.]

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| F1 | Art. 47(1A) inserted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), Sch. 18 para. 118(a) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F2 | Art. 47(2)-(10) substituted (3.4.2006) for art. 47(2)(3) by Constitutional Reform Act 2005 (c. 4), ss. 15(2), 148(1), Sch. 5 para. 57; S.I. 2006/1014, art. 2(a) , Sch. 1 para. 12(a) |
| F3 | Words in art. 47 substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), Sch. 18 para. 118(b) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F4 | Word in art. 47(4) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), Sch. 18 para. 118(c) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F5 | Word in art. 47(6) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), Sch. 18 para. 118(d) (with arts. 28-31); S.I. 2010/977, art. 1(2) |
| F6 | Word in art. 47(8) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 15(5), Sch. 18 para. 118(d) (with arts. 28-31); S.I. 2010/977, art. 1(2) |

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Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)