

1990 No. 267

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

**The Rules of the Supreme Court (Northern Ireland)
(Amendment) 1990**

Made 18th July 1990

Coming into operation 3rd September 1990

To be laid before Parliament

We, the Northern Ireland Supreme Court Rules Committee being the authority having for the time being power under section 55 of the Judicature (Northern Ireland) Act 1978(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby, with the concurrence of the Lord Chancellor, exercise those powers and all other powers enabling us in that behalf as follows:

Citation and commencement

1.—(1) These Rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment) 1990 and shall come into operation on 3rd September 1990.

(2) In these Rules an Order referred to by number or an Appendix referred to by letter means the Order so numbered and the Appendix so lettered in the Rules of the Supreme Court (Northern Ireland) 1980(b).

2. In Order 22 the following paragraph shall be inserted after paragraph (2) of rule 1—

“(2A) Where a defendant has withheld an amount from a payment into court in accordance with Article 24 of and paragraph 12(2)(a)(i) of Schedule 4 to the Social Security (Northern Ireland) Order 1989, the notice he gives under paragraph (2) of this rule must include the certificate of such deduction referred to in paragraph 12(3)(a) of the said Schedule and a copy of the said notice must at the same time be lodged in the appropriate office.”.

3. Order 94 shall be amended as follows—

(1) by substituting in rule 2 for the words “section 14 of the Industrial Training Act (Northern Ireland) 1964” the words “Article 31 of the Industrial Training (Northern Ireland) Order 1984”;

(a) 1978 c. 23

(b) S.R. 1980 No. 346; the relevant amending instrument is S.R. 1983 No. 183

(2) by adding in rule 2, after sub-paragraph (v), the following sub-paragraphs—

- “(vi) section 27 of the Fair Employment (Northern Ireland) Act 1976;
- (vii) sections 18(1), 35 and 40 of the Fair Employment (Northern Ireland) Act 1989.”;

(3) by substituting in rule 3 for the words “section 14 of the Industrial Training Act (Northern Ireland) 1964” the words “Article 31 of the Industrial Training (Northern Ireland) Order 1984”;

(4) by adding in rule 3, after sub-paragraph (v), the following sub-paragraph—

- “(vi) the tribunal mentioned in sections 18 and 40 of the Fair Employment (Northern Ireland) Act 1989.”.

4. In Form 20 of Appendix A the following paragraph shall be inserted after the words “(and after taking into account *as above*)”—

“and where appropriate

CERTIFICATE OF DEDUCTION

The defendant hereby certifies that he has withheld from this payment into court the sum of £ in accordance with Article 24 of and paragraph 12(2)(a)(i) of Schedule 4 to the Social Security (Northern Ireland) Order 1989.”

Dated 28th June 1990.

*Brian Hutton
Donald Murray
R. D. Carswell
Brian Kerr
Owen Catchpole*

I concur,

Mackay of Clashfern, C.

Dated: 18th July 1990.

(This note is not part of the Rules.)

These rules amend the Rules of the Supreme Court (Northern Ireland) 1980 so as—

- (a) to make provision for the procedure to be followed in relation to payments into Court under Order 22 where a deduction, in respect of certain state benefits received by a plaintiff has been made from such a payment in accordance with Article 24 of and Schedule 4 to the Social Security (Northern Ireland) Order 1989 (rules 2 and 4),
- (b) to add the Fair Employment Tribunal to the list of bodies from which appeals to the Court of Appeal on a question of law are to be brought by way of case stated (rule 3), and
- (c) to bring up to date the statutory references relating to cases stated to the Court of Appeal from Industrial Tribunals (rule 3).