

## 1990. No. 426

## MAGISTRATES' COURTS

Magistrates' Courts (Amendment) Rules  
(Northern Ireland) 1990

*Made* . . . . . 3rd December 1990

*Coming into operation* . . . . . 1st January 1991

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(a), on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

*Citation and commencement*

1. These rules may be cited as the Magistrates' Courts (Amendment) Rules (Northern Ireland) 1990 and shall come into operation on 1st January 1991.

*Interpretation*

2. In these rules "the principal rules" means the Magistrates' Courts Rules (Northern Ireland) 1984(b), and a Rule or Schedule referred to by number means a Rule or Schedule so numbered in the principal rules.

*Amendment to the principal rules*

3.—(1) The principal rules shall be amended by omitting:—

- (a) the word " , occupation" from Rule 25A(2) and Rule 25A(7)(a);
- (b) the words " , addresses and occupations" from Rule 28(2)(j);
- (c) the words "and address" from Rule 35(2); and
- (d) the words " , addresses and occupations" from Rule 42(1)(k).

(2) Schedule 1 to the principal rules shall be amended by omitting:—

- (a) the words "Occupation of the person:" from Form 15A;
- (b) the word "of", (where it relates to the address of the witness) from Form 16;
- (c) the words "Occupation" and "Address" from Form 26; and
- (d) the words "Occupation" and "Address" from Form 87.

Dated 3rd December 1990.

*Mackay of Clashfern, C.*

(a) S.I. 1981/1675 (N.I. 26)

(b) S.R. 1984 No. 225. Rule 25A was inserted by S.R. 1989 No. 422. There are other amendments not relevant to these rules

## EXPLANATORY NOTE

*(This note is not part of the rules.)*

These rules amend the Magistrates' Courts Rules (Northern Ireland) 1984 so as to:—

- (a) remove the requirement in Rule 25A(2) and (7)(a) and Form 15A to give the occupation of a person intended to accompany a witness under the age of 14 in respect of an application, under the Police and Criminal Evidence (Northern Ireland) Order 1989, for leave for evidence to be given through a live television link;
- (b) remove the requirement imposed on a clerk of petty sessions, by Rules 28(2)(j) and 42(1)(k) (following the conclusion of a preliminary investigation or preliminary inquiry) to include in the certificate to be sent to the Crown Court details of the addresses and occupations of witnesses who have been bound over conditionally to attend at the trial to give evidence;
- (c) remove the requirement in Rule 35(2) for the address of a witness to be read aloud in the course of a preliminary inquiry; and
- (d) remove the requirement in Forms 16, 26 and 87, to state the address and occupation of a witness in a witness deposition or witness statement respectively.