
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 531

The Magistrates' Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules (Northern Ireland) 1997

Disclosure: application for extension of time limit and order of the court

8.—(1) This Rule applies to an application under paragraph (2) of Regulation 4 of the Criminal Procedure and Investigations Act 1996 (Defence Disclosure Time Limits) Regulations 1997⁽¹⁾ ('the 1997 Regulations') (including that paragraph as applied by Regulation 5(2) of those Regulations) to extend the relevant period for section 6 of the Act.

(2) An application to which this Rule applies shall be made by notice in writing to the clerk of petty sessions and shall, in addition to the matters referred to in paragraphs (a) to (c) of Regulation 4(3) of the 1997 Regulations, specify the date of service of a copy of the notice on the prosecutor in accordance with paragraph (3).

(3) A copy of the notice referred to in paragraph (2) shall be served on the prosecutor at the same time as it is sent to the clerk of petty sessions.

(4) The prosecutor may make representations to the court concerning the application and if he wishes to do so, he shall do so in writing within 14 days of service of a notice under paragraph (3).

(5) The court shall determine the application and any representations made under paragraph (4) and, if it wishes, may do so at a hearing.

(6) Where a hearing is held in pursuance of this rule—

(a) the clerk of petty sessions shall give notice in writing to the prosecutor and the applicant of the date and time when, and the place where, the hearing will take place;

(b) the hearing shall be *inter partes*;

(c) the prosecutor and the applicant shall be entitled to make representations to the court.

(7) The clerk of petty sessions shall serve a copy of any order under Regulation 4(1) or 5(1) of the 1997 Regulations on the prosecutor and the applicant.