
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 492

The Criminal Appeal (Devolution Issues) Rules (Northern Ireland) 1999

Raising of devolution issues on appeal

3.—(1) Where a party to an appeal proposes to raise a devolution issue, he shall raise it either—

- (a) in the notice of appeal; or
- (b) in a notice in Form 1 which shall be filed in the Central Office and served on each of the other parties to the appeal,

setting out the facts and circumstances and points of law on the basis of which it is alleged that the devolution issue arises in sufficient detail to enable the Court to determine whether a devolution issue arises in the proceedings.

(2) Where a devolution issue has been raised on an appeal in accordance with paragraph (1) the proper officer shall as soon as practicable cause the matter to be drawn to the attention of the court for the making of an order under paragraph 5 of Schedule 10 requiring notice of the devolution issue to be given to the Attorney General, the Attorney General for Northern Ireland and the appropriate Minister or department.

(3) If the Attorney General, the Attorney General for Northern Ireland or the appropriate Minister or department wishes to become a party to the proceedings so far as relates to the devolution issue he or it shall, within 7 days after receipt of the notice, or such longer period as the Court may direct, give notice in Form 2 to the Master (Queen's Bench and Appeals); and a copy of such notice shall be sent to each of the other parties.