

2004 No. 108

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

**The Rules of the Supreme Court (Northern Ireland)
(Amendment) 2004**

Made - - - - - 10th March 2004

Coming into operation 19th April 2004

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 as follows: –

Citation and commencement

1. These Rules may be cited as the Rules of the Supreme Court (Northern Ireland) (Amendment) 2004 and shall come into operation on 19th April 2004 but shall not apply to proceedings commenced before that date.

Amendment

2. Order 94 of the Rules of the Supreme Court (Northern Ireland) 1980 shall be amended as follows:

(1) paragraph (iii) of rule 1 is revoked; and

(2) in rule 2(1) the following new paragraph shall be added:

“(xv) Article 30(4)(b) of the County Courts (Northern Ireland) Order 1980 (appeals from small claims arbitrations).”.

Dated 9th March 2004.

*Brian Kerr
P. Coghlin
A. Campbell
J. M. Nicholson
Mark Horner
Declan Morgan
Tony Caher
Paul Girvan*

I concur

Signed by the authority of the Lord Chancellor

Lord Filkin

Parliamentary Under Secretary of State, Department for Constitutional Affairs

Dated 10th March 2004.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the Rules of the Supreme Court (Northern Ireland) 1980 to provide that appeals in small claims arbitrations, under Article 30(4)(b) of the County Courts (Northern Ireland) Order 1980, to the Court of Appeal shall be by way of case stated and to revoke the existing provision prescribing the procedure for such appeals to the High Court.

The amendment is consequent upon the amendment to Article 30(4)(b) of the County Courts (Northern Ireland) Order 1980 by section 74 of the Justice (Northern Ireland) Act 2002.

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