

SCHEDULE

CONSEQUENTIAL AMENDMENTS

PART 3

Amendments to secondary legislation

Crown Court Rules (Northern Ireland) 1979

18.—(1) The Crown Court Rules (Northern Ireland) 1979(1) are amended as follows.

(2) In rule 2(1) (interpretation), in the definition of “chief clerk”, for “member of the Court Service” substitute “civil servant in the Department of Justice”.

(3) In rule 74 (interpretation), in the definition of “the chief clerk”, for “member of the Court Service” substitute “civil servant in the Department of Justice”.

(4) In rule 105(1) (Criminal Justice and Police Act 2001), in the definition of “chief clerk” for “member of the Court Service” substitute “civil servant in the Department of Justice”.

Judgment Enforcement Rules (Northern Ireland) 1981

19. In rule 2(1) of the Judgment Enforcement Rules (Northern Ireland) 1981(2) (interpretation), in the definition of “Chief Enforcement Officer”—

(a) for “officer of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”;

(b) for “officer”, in the second place that the word occurs, substitute “civil servant in that Department”.

County Court Rules (Northern Ireland) 1981

20. In Order 57, rule 1(1) of the County Court Rules (Northern Ireland) 1981(3) (proceedings on complaint of a contempt of court), for “officer of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

Magistrates’ Courts Rules (Northern Ireland) 1984

21.—(1) Rule 11 of the Magistrates’ Courts Rules (Northern Ireland) 1984(4) (service of summons) is amended as follows.

(2) In paragraph (3A)(5), for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

(3) In paragraph (3B)(6), for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

(1) [S.R. 1979 No.90.](#)

(2) [S.R. 1981 No.147.](#)

(3) [S.R. 1981 No.225.](#)

(4) [S.R. 1984 No.225.](#)

(5) Rule 11(3A) was inserted by [S.R. 1997 No.428.](#)

(6) Rule 11(3B) was inserted by [S.R. 2009 No.310.](#)

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Judgment Enforcement (Recovery of Admitted Debts) Rules (Northern Ireland) 1985

22. In rule 11(1) of the Judgment Enforcement (Recovery of Admitted Debts) Rules (Northern Ireland) 1985(7) (summons for examination under Article 95(1)), for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

Insolvency Rules (Northern Ireland) 1991

23.—(1) Rule 2.020 of the Insolvency Rules (Northern Ireland) 1991(8) (appointment taking place out of court business hours) is amended as follows.

(2) In paragraph (3), for “Court Service” substitute “Department of Justice”.

(3) In paragraph (6), for “Court Service” substitute “Department of Justice”.

Crown Court (Children’s Evidence) (Dismissal of Transferred Charges) Rules (Northern Ireland) 1996

24. In rule 2(1) of the Crown Court (Children’s Evidence) (Dismissal of Transferred Charges) Rules (Northern Ireland) 1996(9) (interpretation), in the definition of “the chief clerk”, for “members of the Northern Ireland Court Service” substitute “civil servants in the Department of Justice”.

Family Proceedings Rules (Northern Ireland) 1996

25. In rule 8.33(2) of the Family Proceedings Rules (Northern Ireland) 1996(10) (interpretation) for “Northern Ireland Court Service” substitute “Department of Justice”.

Magistrates’ Courts (Children (Northern Ireland) Order 1995) Rules (Northern Ireland) 1996

26. In rule 1(3) of the Magistrates’ Courts (Children (Northern Ireland) Order 1995) Rules (Northern Ireland) 1996(11) (citation, commencement and interpretation), in the definition of “the Central Authority for Northern Ireland” for “Northern Ireland Court Service” substitute “Department of Justice”.

Crown Court (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules (Northern Ireland) 1997

27. In rule 1(2) of the Crown Court (Criminal Procedure and Investigations Act 1996) (Tainted Acquittals) Rules (Northern Ireland) 1997(12) (citation, commencement and interpretation), in the definition of “chief clerk”, for “members of the Northern Ireland Court Service” substitute “civil servants in the Department of Justice”.

Road Traffic Fixed Penalties (Enforcement of Fines) Regulations (Northern Ireland) 1997

28. In regulation 12 of the Road Traffic Fixed Penalties (Enforcement of Fines) Regulations (Northern Ireland) 1997(13) (conduct of proceedings), for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

(7) [S.R. 1985 No.78.](#)

(8) [S.R.1991 No.364.](#)

(9) [S.R. 1996 No.70.](#)

(10) [S.R. 1996 No.322.](#) Rule 8.33 was substituted by [S.R. 2005 No.558.](#)

(11) [S.R. 1996 No.323.](#) The definition of ‘the Central Authority for Northern Ireland’ in rule 1(3) was inserted by [S.R. 2005 No.559.](#)

(12) [S.R. 1997 No.266.](#)

(13) [S.R. 1997 No.344.](#)

Crown Court (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules (Northern Ireland) 1997

29. In rule 1(2) of the Crown Court (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules (Northern Ireland) 1997(**14**) (citation, commencement and interpretation), in the definition of “chief clerk”, for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

Crown Court (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules (Northern Ireland) 1997

30. In rule 1(2) of the Crown Court (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules (Northern Ireland) 1997(**15**) (citation, commencement and interpretation), in the definition of “the chief clerk”, for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

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

31. In rule 1(2) of the Magistrates’ Courts (Criminal Procedure and Investigations Act 1996) (Disclosure) Rules (Northern Ireland) 1997(**16**) (citation, commencement and interpretation), in the definition of “clerk of petty sessions”, for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

Magistrates’ Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules (Northern Ireland) 1997

32. In rule 1(2) of the Magistrates’ Courts (Criminal Procedure and Investigations Act 1996) (Confidentiality) Rules (Northern Ireland) 1997(**17**) (citation, commencement and interpretation), in the definition of “clerk of petty sessions”, for “member of the Northern Ireland Court Service” substitute “civil servant in the Department of Justice”.

Re-use of Public Sector Information Regulations 2005

33. In regulation 2 of the Re-use of Public Sector Information Regulations 2005(**18**) (interpretation), in the definition of “government department”, omit “, the Northern Ireland Court Service”.

Crown Court (Prosecution Appeals) Rules (Northern Ireland) 2005

34. In rule 1(2) of the Crown Court (Prosecution Appeals) Rules (Northern Ireland) 2005(**19**) (interpretation), in the definition of “chief clerk”, for “member of the Court Service” substitute “civil servant in the Department of Justice”.

Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005

35.—(1) The Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005(**20**) are amended as follows.

(14) [S.R. 1997 No.519.](#)

(15) [S.R. 1997 No.520.](#)

(16) [S.R. 1997 No.531.](#)

(17) [S.R. 1997 No.532.](#)

(18) [S.I. 2005/1515.](#)

(19) [S.R. 2005 No.79.](#)

(20) [S.R. 2005 No.112.](#)

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(2) In rule 2 (interpretation), for the definition of “the Court Service” substitute—
““the Department” means the Department of Justice;”.

(3) In rule 20 (review of operation of rules), for “Court Service”, in each place that those words occur, substitute “Department”.

Public Contracts Regulations 2006

36. In Schedule 1 to the Public Contracts Regulations 2006(21) (GPA Annex 1 contracting authorities)—

- (a) after “Office of the Social Security Commissioners”, in the first place that those words occur, insert “Pensions Appeal Tribunals”;
- (b) omit the entry for the Northern Ireland Court Service (including the entries related to it).

Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007

37. In regulation 39(10)(b) of the Rate Relief (Qualifying Age) Regulations (Northern Ireland) 2007(22) (unauthorised disclosure of information relating to particular persons), for “Northern Ireland Court Service” substitute “Department of Justice”.

Rate Relief (General) Regulations (Northern Ireland) 2007

38. In regulation 40(10)(b) of the Rate Relief (General) Regulations (Northern Ireland) 2007(23) (unauthorised disclosure of information relating to particular persons), for “Northern Ireland Court Service” substitute “Department of Justice”.

Magistrates’ Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009

39.—(1) The Magistrates’ Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009(24) are amended as follows.

(2) In rule 2 (interpretation), for the definition of “the Court Service” substitute—
““the Department” means the Department of Justice;”.

(3) In rule 16 (review of operation of rules), for “Court Service”, in each place that those words occur, substitute “Department”.

(21) S.I. 2006/5.

(22) S.R. 2007 No.203.

(23) S.R. 2007 No.204.

(24) S.R. 2009No.313.