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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 94**

**The Magistrates' Courts (Violent Offences  
Prevention Orders) Rules (Northern Ireland) 2016**

**Service of documents**

4.—(1) Subject to paragraph (2), service of a summons under these Rules may be effected—

- (a) by a member of the Police Service of Northern Ireland serving a copy of the summons on the defendant in person; or
- (b) by sending a copy of the summons by ordinary post to the defendant at his last-known address (in which cases the summons shall be deemed to have been received by him in the ordinary course of post, unless the defendant proves that he did not receive it).

(2) In the case of a summons on foot of a complaint for the variation, renewal or discharge of an order specified in Rule 3 issued by the defendant mentioned in that order, service shall be effected in accordance with paragraphs (2), (6) and (7) of Rule 11 of the Magistrates' Courts Rules (Northern Ireland) 1984<sup>(1)</sup> by delivering a copy of the summons to any police station within the petty sessions district in which the proceedings are brought and leaving a copy with the officer in charge or any other constable.

(3) Where the court makes a violent offences prevention order or an interim violent offences prevention order, the clerk of petty sessions shall serve a copy of that order on the defendant—

- (a) where the defendant is present, in person if practicable; or
- (b) by sending it by ordinary post to the defendant at his last-known address (in which case the order shall be deemed to have been received by him in the ordinary course of post unless the defendant proves that he did not receive it).

(4) Where the court makes an order varying, renewing or discharging an order specified in Rule 3, the clerk of petty sessions shall serve on the defendant a copy of the order as it has been varied, renewed or discharged—

- (a) where the defendant is present, in person if practicable; or
- (b) by sending it by ordinary post to the defendant at either his last known address or any address which is currently notified by him under Part 8 of the Act (in which cases the order shall be deemed to have been received by him in the ordinary course of post unless the defendant proves that he did not receive it).

(5) In paragraph (4), a reference to the defendant is a reference to the defendant in the proceedings in which the order was originally made.

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<sup>(1)</sup> S.R. 1984 No. 225; to which the most recent relevant amendments are S.R. 2009 No. 12, S.R. 2009 No. 310, S.R. 2011 No. 59, S.R. 2011 No. 418, S.R. 2012 No. 189, S.R. 2012 No. 415, S.R. 2013 No. 89, S.R. 2014 No. 12, S.R. 2014 No. 221.