
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 175

The Magistrates' Courts (Stalking Protection Orders) Rules (Northern Ireland) 2023

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 the defendant's last known address (in which case the summons shall be deemed to have been received by the defendant in the ordinary course of post, unless the defendant proves to the contrary).

(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⁽¹⁾ by delivering a copy of the summons to any police station and leaving a copy with the officer in charge or any other constable.

(3) Where the court makes a stalking protection order or an interim stalking protection 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's last-known address (in which case the order shall be deemed to have been received by the defendant in the ordinary course of post unless the defendant proves to the contrary).

(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 the defendant's last known address or any address which is currently notified by the defendant under section 14 of the Act (in which case the order shall be deemed to have been received by the defendant in the ordinary course of post unless the defendant proves to the contrary).

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paragraph (4), a reference to the defendant is a reference to the defendant in the proceedings in which the order was originally made.

Commencement Information

II Rule 4 in operation at 19.10.2023, see [rule 1\(1\)](#)

(1) [S.R. 1984 No. 225](#); to which the most recent relevant amendment is [S.R. 2016 No. 304](#).

Changes to legislation: *There are currently no known outstanding effects for the The Magistrates' Courts (Stalking Protection Orders) Rules (Northern Ireland) 2023, Section 4. (See end of Document for details)*

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