

SCHEDULE

Article 2

MODIFICATIONS TO THE MODEL RULES CONCERNING THE CONDUCT OF APPEALS

1.—(1) In rule 1 in the definition of “enforcement action” for “has the same meaning as in section 5 of the Deregulation and Contracting Out Act 1994” there shall be substituted “means the refusal to grant, renew or vary a licence or the variation or revocation of a licence by the Secretary of State under section 20 of the Chemical Weapons Act 1996(1)”.

(2) In rule 1 there shall be inserted, in the appropriate place, the following definition—

““Irish proceedings” means proceedings in relation to an appeal which relates to matters arising in Northern Ireland;”

2.—(1) In rule 6(1) for “and for Scotland” there shall be substituted “, for Scotland and for Northern Ireland”.

(2) In rule 6(2) at the end of sub-paragraph (a) “and” shall be omitted and at the end of sub-paragraph (b) there shall be inserted—

“and

(c) to the panel of chairmen for Northern Ireland, by the Lord Chief Justice of Northern Ireland from members of the Bar of Northern Ireland or solicitors of the Supreme Court of Northern Ireland of at least seven years standing.”

(3) In rule 6(3) after “the Lord Advocate” there shall be inserted “or in the case of the panel for Northern Ireland, the Lord Chief Justice of Northern Ireland”.

(4) In rule 6(6) at the end of sub-paragraph (b) there shall be inserted—

“and

(c) where the appeal relates to matters arising in Northern Ireland, from the panel of chairmen for Northern Ireland.”

(5) In rule 6(9)(a) for “or the Lord Advocate,” there shall be substituted “, the Lord Advocate or the Lord Chief Justice of Northern Ireland,”.

3. In Rule 23 there shall be inserted at the beginning “Where both the appellant and the Authority agree,”.

4.—(1) In rule 29(1) after “Scotland” there shall be inserted “or in relation to Irish proceedings, in Northern Ireland”.

(2) In rule 29(6)(a) after “Wales” there shall be inserted “or in Northern Ireland”.

5. In rule 30(6)(a) after “Wales” there shall be inserted “or in Northern Ireland”.

6. In rule 31 for “must” there shall be substituted “may”.

7. In rule 32(5) after “Wales” there shall be inserted “or in Northern Ireland”.

8.—(1) In rule 33(2) after “Wales” there shall be inserted “or in Northern Ireland”.

(2) In rule 33(3) the words “to the sheriff” to “under these Rules,” shall be omitted.

(3) In rule 33(4) the words “, the sheriff” shall be omitted.

(4) Paragraph (6) of rule 33 shall be omitted.

(1) 1996 c. 6.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.