

STATUTORY INSTRUMENTS

1981 No. 1675

The Magistrates' Courts (Northern Ireland) Order 1981

PART X

WITNESSES AND EVIDENCE

[^{F1}Witnesses: criminal proceedings

[^{F1}Penalty for witness failing to appear or obey direction of court excluding him

119.—(1) Any person who—

(a) was duly served with a summons under Article 118 [^{F2}, 118A or 118D] and who fails, without reasonable excuse, to appear at the time and place appointed by the summons; or

[disobeys a requirement made by a magistrates' court under Article 118B(1); or]
^{F3}(aa)

(b) fails to comply with the provisions of paragraph (2) or with any direction given under it;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding [^{F4} level 4 on the standard scale.

(2) Where in any proceeding before a magistrates' court it appears to the court desirable in the interests of justice so to do, the court may direct that any witness in that proceeding be excluded from the court during the proceeding until he is required for the purpose of giving evidence in that proceeding; and where such direction is given, the witness shall attend on the court and give his evidence when so required.]]

F1 [Art. 118-118E](#) and cross-headings substituted (1.1.2012) for art. 118 and preceding cross-heading by Justice Act (Northern Ireland) 2011 c. 24 (NI), **ss. 100(1), 111(3)** (with s. 106(4), Sch. 6 para. 8); S.R. 2011/370, **art. 3(f)**

F2 Words in [art. 119\(1\)\(a\)](#) inserted (1.1.2012) by Justice Act (Northern Ireland) 2011 (c. 24), **ss. 100(2)(a), 111(3)** (with s. 106(4), Sch. 6 para. 8); S.R. 2011/370, **art. 3(f)**

F3 [Art. 119\(1\)\(aa\)](#) inserted (1.1.2012) by Justice Act (Northern Ireland) 2011 (c. 24), **ss. 100(2)(b), 111(3)** (with s. 106(4), Sch. 6 para. 8); S.R. 2011/370, **art. 3(f)**

F4 1994 NI 15

Modifications etc. (not altering text)

C1 [Art. 119](#) applied by 1972 c. 18, s. 38(4) (as amended) (22.4.2014) by [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 11 para. 54**; S.I. 2014/954, [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

C2 [Art. 119](#) applied (with modifications) by 1972 c. 18, s. 14(3) (as amended) (22.4.2014) by [Crime and Courts Act 2013](#) (c. 22), s. 61(3), **Sch. 11 para. 37(1)**; S.I. 2014/954, [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Changes to legislation:

The Magistrates' Courts (Northern Ireland) Order 1981, Section 119 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) arts.3\(4\)25](#)
- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.3\(5\)Sch.1](#)
- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.5\(2\)](#)
- Instrument mod (prosp) by [1994 c. 33 s. 91\(3\)](#)
- Instrument revoked by [1998 c. 41 s.74\(1\)\(3\)Sch.12 para.5Sch.14 Pt.I](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act amended by [1996 c. 25 s.79 Sch.4 para 30](#)
- Act amended by [1996 c. 25 s.79Sch.4 para 30](#)
- Order applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2018/1125](#), reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Order power to modify conferred by [2015 c. 9 \(N.I.\) s. 24\(5\)\(a\)](#) (see [s 24\(6\)](#))

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [Sch.6 Pt.I paras.1819](#) revoked by [1995 c. 21 s. 314\(1\)Sch.12](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch.6 Pt.I para.5](#) revoked by [S.I. 1995/756 art.15Sch.](#)
- [Sch. 6 Pt. 3 para. 170](#) repealed by [S.I. 2007/916 \(N.I.\) Sch. 8 Pt. 1](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch. 6 para. 128-130](#) repealed by [2011 c. 15 \(N.I.\) Sch. 3 Pt. 2](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch. 6 para. 125](#) repealed by [2011 c. 16 \(N.I.\) Sch. 5](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch. 6 para. 144](#) repealed by [2006 c. 48 Sch. 15 Pt. 4](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch. 6 para. 21](#) repealed by [2013 c. 22 Sch. 11 para. 210](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [Sch. 6 para. 25](#) repealed by [2013 c. 22 Sch. 11 para. 210](#) (Amendment could not be applied. The relevant affected text is not available on [legislation.gov](#))
- [art. 29\(1\)\(s\)](#) inserted by [2024 c. 16 s. 4](#)
- [art. 29A](#) excluded by [1975 c. 59, s. 4\(3\)](#) (as substituted) by [2015 c. 9 \(N.I.\) s. 7\(6\)](#)
- [art. 29A](#) inserted by [2015 c. 9 \(N.I.\) s. 7\(2\)](#)
- [art. 34\(1A\)-\(1E\)](#) inserted by [2015 c. 9 \(N.I.\) s. 8\(2\)](#)
- [art. 140\(2ZA\)](#) inserted by [2016 c. 18 \(N.I.\) Sch. 10 para. 16](#)