
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 399

The Rules of the Supreme Court (Northern Ireland) (Amendment No. 3) 1992

Applications etc. to High Court: Chancery Division

15. Order 93 shall be amended by inserting, after rule 6, the following new rules—

“Proceedings under the Financial Services Act 1986

7.—(1) In this rule “the Act” means the Financial Services Act 1986 and a section referred to by number means the section so numbered in that Act.

(2) Proceedings in the High Court under the Act (other than applications for mandamus) and actions for damages for breach of a statutory duty under the Act shall be assigned to the Chancery Division.

(3) Such proceedings and actions shall be begun by writ, except for—

- (a) applications by petition by the Secretary of State under section 73, and
- (b) applications by Inspectors under section 94 or section 178, which shall be begun by originating notice of motion.

(4) No order shall be made under section 6, 61, 71, 91, 104, 131, 184 or paragraph 22 of Schedule I 1 against any person unless he is a party to the relevant proceedings or action.

(5) Where there is a question of the construction of any of the rules or regulations referred to in section 61(1)(a) of the Act, the Secretary of State, designated agency, or any person referred to in section 61 (1)(a)(iv) may make representations to the Court.

Proceedings under the Banking Act 1987

8.—(1) In this rule “the Act” means the Banking Act 1987 and a section referred to by number means the section so numbered in the Act.

(2) Proceedings in the High Court under the following sections of the Act shall be assigned to the Chancery Division and shall be begun—

- (a) as to applications under section 26(3), 71(3) and (5) and 77(3) and (5), by originating summons;
- (b) as to appeals under section 31 (1), by originating motion;
- (c) as to applications under sections 48(1), 49(1) and 93(1) and (2), by writ.

(3) No order shall be made under section 48(1) against any person unless he is a party to the proceedings.

(4) Where an application has been made under section 71(3) or (5) or section 77(3) or (5) the Bank of England shall within 28 days after service on it of copies of the plaintiff’s affidavit evidence cause an affidavit to be made, filed and served on the plaintiff setting out the reasons for its objection to the plaintiff’s name.”