

SCHEDULE 1

Form List Sched. 1

FORMS

**LIST OF FORMS**

CRIMINAL PROCEEDINGS

A. FORMS USED IN CONNECTION WITH BOTH SUMMARY TRIAL AND PRELIMINARY INVESTIGATION/INQUIRY

1. Complaint (Article 20; Rules 7 and 17)
2. Summons to defendant to answer complaint (Articles 20(1), (2) and (3); Rule 8)
3. Notice to defendant: plea of guilty by post (Article 24(1)(i); Rule 10)
4. Statement of facts (Article 24(1)(ii); Rule 10)
5. Certificate by complainant of service on defendant of Forms 3 and 4 (Article 24(1); Rule 10)
6. Notification of plea of guilty and statement of mitigating circumstances (Article 24(2); Rule 10)
7. Notice of intention to cite previous convictions (Article 125; Rule 23(6))
8. Warrant of arrest (Articles 20(3), (4) and (5), 25, 118 and 138(5); Rules 14 and 143)
9. Bail endorsement on warrant of arrest (Article 129; Rule 16)
10. Warrant of commitment on remand [for enquiries after conviction or for medical examination] (Articles 47, 50 and 51; Rules 14 and 143)
11. Consent to bail on remand (Articles 37 and 47; Rule 16)
12. Warrant of commitment on further remand of person in custody unable to appear by reason of illness or accident (Article 49; Rules 14 and 143)
13. Order to have defendant brought before the court before expiration of period of remand (Article 47(5))

B. FORMS USED IN CONNECTION WITH SUMMARY TRIAL

14. Warrant of commitment on sentence of imprisonment/detention (Article 114; Rules 14, 15 and 143)

C. FORMS USED IN CONNECTION WITH PRELIMINARY INVESTIGATION/INQUIRY

15. Statement of complaint(s) (Article 32(1)(b)(i); Rules 25 and 32(5) and (6))
16. Deposition of a witness (Articles 30(2), 34(2) and 39; Rules 26, 27 and 35)

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17. Warrant of commitment for trial (Articles 37, 40 and 47; Rules 14 and 143)
18. Warrant of commitment of witness for refusing to enter recognizance (Article 39(5); Rules 14 and 143)
19. Warrant for discharge (Articles 37(4), 39(5) and 148(1); Rules 14, 16(3) and 143)

#### D. FORMS USED IN CONNECTION WITH PRELIMINARY INQUIRY

20. Notice of intention to request court to conduct a preliminary inquiry (Article 32(1)(a); Rules 32)
21. Notice of intention to request court to conduct a preliminary inquiry (Article 32; Rules 31 and 32) (Northern Ireland (Emergency Provisions) Act 1978 (Section 1)
22. Notice of intention to request court to conduct a preliminary inquiry (extra-territorial offences) (Article 32; Rules 31 and 32) (Criminal Jurisdiction Act 1975) (Section 4(3))
23. List of witnesses and number of pages in statement of evidence of each witness (Rule 32(4))
24. List of exhibits to be produced or referred to by witness whose written statement is to be tendered at a preliminary inquiry (Rule 32(1)(b)(iii); Rule 32(5))
25. Statement of the accused (Articles 30(4) and (5) and 34(3) and (4); Rules 26 and 35)
26. Statement of witness to be tendered in evidence at preliminary inquiry (Article 33; Rule 39)
27. Authenticating certificate of clerk of petty sessions (Rule 41)

#### E. FORMS USED IN CONNECTION WITH COMMITTAL FOR TRIAL OF PERSON AGAINST WHOM AN INDICTMENT HAS BEEN PRESENTED

28. Certificate of indictment having been presented (Article 40(1))
29. Warrant to arrest person indicted (Article 40(3); Rules 14 and 143)

#### F. FORMS USED IN CONNECTION WITH SUMMARY TRIAL OF INDICTABLE OFFENCES SPECIFIED IN SCHEDULE 2 TO THE ORDER

30. Summons to defendant to answer complaint charging an indictable offence specified in Schedule 2 to the Order (Articles 20 and 45; Rules 8 and 44(1))
- 30A. Summons to defendant to answer complaint charging an indictable offence specified in Schedule 2 to the Order which is also a scheduled offence within the meaning of Section 30(1) of the Northern Ireland (Emergency Provisions) Act 1978 (Sections 6, 7 and 30; Schedule 4)
31. Notice under Article 45 of the Order to be given to an arrested person accused of an offence specified in Schedule 2 to that Order as soon as practicable after he has been formally charged with such offence (Article 45; Rule 44(1)).

- 31A Offences to which Schedule 4 of the Northern Ireland (Emergency Provisions) Act 1978 applies: notice under Article 45 of the Order to be given to an arrested person accused of an offence specified in Schedule 2 to that Order as soon as practicable after he has been formally charged with such offence (Article 45; Rule 44(1))
- 32. Written waiver of requirement of notice under Article 45 of the Order (Article 45; Rule 44(2))
- 32A Offences to which Schedule 4 of the Northern Ireland (Emergency Provisions) Act 1978 applies: written waiver of requirement of notice under Article 45 of the Order (Article 45; Rule 44(2))

#### DEBT PROCEEDINGS

- 33. Process in debt proceedings (Article 62; Rules 55, 57 and 84)
- 34. Notice of set-off or counterclaim in debt proceedings (Rule 85)
- 35. Notice of lodgment in court of amount tendered (Rule 90(1))
- 36. Decree in debt proceedings (Article 74; Rule 79)
- 37. Affidavit/Statutory Declaration of default in payment of instalment in support of application for issue of decree hitherto postponed on terms (Article 116; Rule 91)
- 38. Dismiss in debt proceedings (Articles 2(3) and 73(6); Rules 74 and 79)
- 39. Process register in debt proceedings (Rule 65)
- 40. Memorandum of a debt proceeding entered in the process register (Rule 65(4))

#### EJECTMENT PROCEEDINGS

- 41. Process in ejectment proceedings in respect of lands or premises to which sub-paragraph (a) of Article 67(1) of the Order applies (Article 67; Rules 55, 57 and 95).
- 42. Process in ejectment proceedings in respect of lands or premises to which sub-paragraph (a) of Article 67 (1) of the Order applies and for the recovery of arrears of rent or sums due under Article 69 of the Order (Articles 67, 69 and 72(3); Rules 55, 57 and 95(5))
- 43. Process in ejectment proceedings in respect of lands or premises to which sub-paragraph (b) of Article 67(1) of the Order applies (Article 67; Rules 55, 57 and 95(3))
- 44. Process in ejectment proceedings in respect of lands or premises to which sub-paragraph (c) of Article 67(1) of the Order applies (Article 67 and 71; Rules 55; 57 and 95(4))
- 45. Decree for recovery of lands or premises to which sub-paragraph (a) of Article 67(1) of the Order applies (Articles 67 and 74; Rule 79)
- 46. Decree for recovery of lands or premises to which sub-paragraph (a) of Article 67(1) of the Order applies and for the recovery of arrears of rent or sums due under Article 69 of the Order (Articles 67, 69, 72(3) and 74; Rule 79)
- 47. Decree for recovery of lands or premises to which sub-paragraph (b) of Article 67(1) of the Order applies (Articles 67 and 74; Rule 79)
- 48. Decree for recovery of lands or premises to which sub-paragraph (c) of Article 67(1) of the Order applies (Articles 67, 71 and 74; Rule 79)

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49. Dismiss in ejectment proceedings in respect of lands or premises to which sub-paragraph (a) of Article 67(1) of the Order applies (Articles 2(3), 67, 73 and 74; Rules 74 and 79)
50. Dismiss in ejectment proceedings in respect of lands or premises to which sub-paragraph (a) of Article 67(1) of the Order applies and where arrears of rent or sums due under Article 69 of the Order were claimed (Articles 2(3), 67, 69, 72(3), 73 and 74; Rules 74 and 79)
51. Dismiss in ejectment proceedings in respect of lands or premises to which sub-paragraph (b) of Article 67(1) of the Order applies (Articles 2(3), 67 and 73; Rules 74 and 79)
52. Dismiss in ejectment proceedings in respect of lands or premises to which sub-paragraph (c) of Article 67(1) of the Order applies (Articles 2(3), 67, 71 and 73; Rules 74 and 79)
53. Process register in ejectment proceedings (Rule 65)
54. Memorandum of an ejectment proceeding entered in the process register (Rule 65(4))

#### APPEALS AND APPLICATIONS TO MAGISTRATES' COURTS

55. Notice of appeal to magistrates' court (Article 76; Rule 97)
56. Notice of application to magistrates' court (Article 76; Rule 97)

#### PROCEEDINGS ON COMPLAINT IN A CIVIL MATTER

57. Summons to defendant to answer complaint (Article 79; Rule 8)
58. Summons to vary, etc., order for periodical payment (Articles 79 and 86; Rule 8)
59. Order varying, etc., order for periodical payment (Article 86)

#### SATISFACTION AND ENFORCEMENT OF ORDERS

##### A. ORDERS IN CRIMINAL PROCEEDINGS

60. Notice to defendant of sum adjudged to be payable by a conviction (Article 91; Rule 105)
61. Warrant of distress for sum adjudged to be payable by a conviction (Article 92(1)(a); Rules 14, 105, 143 and 144)
62. Warrant of commitment for sum adjudged to be payable by a conviction (Articles 91 and 92(1)(b); Rules 14, 105 and 143)
63. Warrant of commitment on commission of further offence during operational period of suspended sentence (Article 114; Rules 14, 15, 108 and 143) (Treatment of Offenders Act (Northern Ireland) 1968 (Section 19(1)(a) or (b)))
64. Summons on complaint for appearance before court by which a suspended sentence has been passed (Rule 8) (Treatment of Offenders Act (Northern Ireland) 1968 (Section 21))
65. Warrant for arrest of person upon whom a suspended sentence has been passed (Rules 14 and 143) (Treatment of Offenders Act (Northern Ireland) 1968 (Section 21))

66. Warrant of Commitment where person is ordered under Article 3 (1) of the Treatment of Offenders (Northern Ireland) Order 1976 to be returned to prison (Article 114; Rules 14, 15 and 143) (Treatment of Offenders (Northern Ireland) Order 1976 (Article 3))
67. Warrant of Commitment to Crown Court under Article 3(4) of the Treatment of Offenders (Northern Ireland) Order 1976 (Article 114; Rules 14, 15 and 143) (Treatment of Offenders (Northern Ireland) Order 1976 (Article 3(4)))
68. Summons upon complaint that person has been convicted as mentioned in Article 3(1)(a) of the Treatment of Offenders (Northern Ireland) Order 1976 after his discharge from prison and has not been ordered to be returned to prison or young offenders centre (Rule 8) (Treatment of Offenders (Northern Ireland) Order 1976 (Article 5))
69. Warrant for arrest of person who has been convicted as mentioned in Article 3(1)(a) of the Treatment of Offenders (Northern Ireland) Order 1976 after his discharge from prison and who has not been ordered to be returned to prison or a young offenders centre (Rules 14 and 143) (Treatment of Offenders (Northern Ireland) Order 1976 (Article 5))
70. Transfer of Fine Order (Article 95; Rule 108)
71. Further transfer of Fine Order (Articles 95 and 96; Rule 108)
72. Notice of transfer of Fine Order (Article 96; Rule 109)
73. Attachment of earnings order maintenance (Article 101; Rules 111 and 112)
74. Temporary variation order (Article 101; Rule 117)

#### B. ORDERS IN DEBT PROCEEDINGS

75. Enforcement process under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981 (Rules 128 to 130)
76. Enforcement order under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981 (Rule 128)
77. Committal process under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981 (Rule 129)
78. Committal order made under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981 (Rules 128 and 129)

#### C. ORDERS IN EJECTMENT PROCEEDINGS

79. Notice of intention to apply for the issue of ejectment decree for over-holding (Article 116; Rules 131 to 133)

#### D. ORDERS FOR THE PAYMENT OF SUMS (OTHER THAN ON CONVICTION) MADE IN PROCEEDINGS UPON COMPLAINT

80. Complaint for arrears under an order for periodical [lump sum] payment enforceable under Article 98 (as applied by Article 99) of the Order (Articles 98 and 99; Rule 7)
81. Summons for arrears under an order for periodical [lump sum] payment (Articles 98(1)(a) and 99; Rule 8)

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82. Warrant of arrest for arrears under an order for periodical [lump sum] payment (Articles 98(1)(b) and 99; Rules 14 and 143)
83. Warrant of distress for arrears (Articles 98(4)(a) and 99; Rules 14, 143 and 144)
84. Warrant of commitment in default of distress for arrears under an order for periodical [lump sum] payment (Articles 98(5) and 99; Rules 14 and 143)

#### WITNESSES AND EVIDENCE

85. Summons to witness (Article 118(1); Rule 8)
86. Certificate of collecting officer of non-payment of sums ordered to be paid (Article 123(a))
87. Statement of witness to be tendered in evidence under section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (Rule 149) (Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (Section 1))
88. Notice by complainant of intention to tender written statement at summary trial (Rule 149) (Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (Section 1))

#### RECOGNIZANCES AND FORMS USED IN CONNECTION THEREWITH

89. Recognizance to appear before a magistrates' court (Articles 47 and 135 to 138; Rules 150 to 153)
90. Recognizance [constabulary] to appear before a magistrates' court (Articles 130(1)(a) and 135 to 138; Rule 152)
91. Recognizance to appear at a constabulary station (Articles 130(1)(b) and 135 to 138; Rule 152)
92. Recognizance to appear at the Crown Court (Articles 37, 51(4) and 135 to 138; Rules 150 and 153)
93. Recognizance to keep the peace [and] [or] to be of good behaviour (Article 127; Rule 152)
94. Certificate of proposed surety as to means (Rule 150(5) and (6))
95. Notice to estreat recognizance (Article 138(3))
96. Warrant of distress and commitment in default of distress for sum forfeited upon the estreat of a recognizance (Article 138(4); Rules 14, 143 and 144)

#### APPEALS TO COUNTY COURT AND BY WAY OF CASE STATED TO THE COURT OF APPEAL

##### A. APPEALS TO THE COUNTY COURT

97. Notice of appeal to county court (Article 144; Rule 154)
98. Form of appeal to county court (Rules 154, 155 and 156)
99. Recognizance to prosecute appeal to county court [not] conditioned for bail (Articles 135 to 138 and 148; Rules 150 to 153)
100. Notice by clerk of petty sessions to chief clerk of abandonment of appeal to the county court (Article 150(1))

## B. APPEALS BY WAY OF CASE STATED TO COURT OF APPEAL

101. Application to court to state a case (Article 146; Rule 158)
102. Court's certificate of refusal to state a case (Article 146(4))
103. Case stated by magistrates' court (Article 146; Rule 160)
104. Recognizance to prosecute appeal to Court of Appeal [not] conditioned for bail (Articles 135 to 138 and 148; Rules 150 to 153)
105. Notice by clerk of petty sessions to respondent that appellant has abandoned an appeal by way of case stated (Article 150(2))

## MISCELLANEOUS

106. Certificate of conviction or order (Rule 20)
107. General form for enforcement of conviction or order (Part IX)
108. Affidavit of service of summons on defendant (Articles 23(2), 25(3), 81 (2) and 126; Rule 11).
109. Affidavit of service of summons for offence where summons served in England and Wales or Scotland (Articles 23(2), 25(3) and 126; Rule 12)
110. Affidavit of service of summons on witness (Articles 118(3) and 126; Rule 11)
111. Affidavit of service of a process by a summons server or a person who has received permission to serve the process (Article 126; Rules 58, 59 and 63)
112. Receipt for prisoner (Rule 143(4))
113. Order for taking fingerprints and palm prints (Article 61)
114. Warrant directing person apparently entitled thereto to be put in possession of premises (Article 158; Rule 14) (Summary Jurisdiction (Miscellaneous Provisions) Act (Northern Ireland) 1946 (Section 1))
115. General form of affidavit of service of notice, etc. (Article 126; Rule 148)
116. Warrant of commitment on remand in hospital (Article 47; Rules 14, 143 and 164)
117. Certificate by or on behalf of complainant that summons sent by registered post or recorded delivery service and returned as undelivered will, if delivered by ordinary post, come to notice of person to be served (Rule 13(8)(e))
118. Statement of dates on which defendant remanded (Rules 28(2)(1) and 42(1)(o))
119. Notice of direction made by Court of Appeal (Article 152)
120. Application requesting that warrant of commitment be cancelled (Article 113)  
Signature  
Explanatory Note

## CRIMINAL PROCEEDINGS

### A. Forms used in connection with both Summary Trial and Preliminary Investigation/Inquiry

FORM 1 MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Complaint**

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(Article 20; Rules 7 and 17)

of  
 of

Complainant

Defendant

} Petty Sessions District of

} County Court Division of

I, \_\_\_\_\_ of \_\_\_\_\_ say [on oath] that

[And the undersigned binds himself to attend when and where called on to prosecute or to give evidence against the defendant for the said offence or otherwise to forfeit to the Crown the sum of £ \_\_\_\_\_.]

Complainant  
[for Complainant].

Taken before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
in the County Court Division of \_\_\_\_\_

Justice of the Peace

**FORM 2MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Summons to Defendant to answer Complaint**

(Article 20(1), (2) and (3); Rule 8)

*[Title as in Form 1]*

WHEREAS a complaint has been made before me that on the (date) \_\_\_\_\_ at (place) \_\_\_\_\_ in the said petty sessions district and county court division, you, the said defendant

THIS IS TO COMMAND YOU to appear as a defendant on the hearing of the said complaint at (place) \_\_\_\_\_ on (date) \_\_\_\_\_, at (time) \_\_\_\_\_ before a magistrates' court for the said county court division.

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Justice of the Peace  
[Clerk of Petty Sessions]

To the said Defendant

**FORM 3MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Notice to Defendant: Plea of Guilty by post**



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(Article 24(1)(i); Rule 10)

[Title as in Form 1]

The purpose of this notice is to inform you that if, on the hearing of the complaint(s) referred to in the summons(es) served herewith, you wish to enter a plea of guilty, you or your solicitor may, at least three days before the date fixed for the hearing, notify the clerk of petty sessions for the above mentioned district in writing to that effect in Form 6; copy attached. It will not then be necessary for you to appear before the court as required by the said summons(es). You may also include in the said Form 6 in the space provided such statement in mitigation as you desire.

The evidence to be given at the hearing is that contained in Form 4 a copy of which is attached for your information, and the facts therein contained and those facts only will, in your absence, be read to the court. Your statement in mitigation will also be read to the court which may then deal with the case in your absence.

The court may decide not to proceed in your absence and, if so, it will adjourn the hearing. You will be notified of the time and place of the adjourned hearing and, in such a case, the trial will proceed at the adjourned hearing as if you had not entered a written plea of guilty.

You may at any time before the date of the hearing or adjourned hearing of any case withdraw your plea of guilty by writing to the clerk of petty sessions to that effect. Failure to do so immediately may result in delay and expense if the case has to be adjourned to allow the prosecution to bring its witness to court.

Neither this notice nor any reply you may send in answer to it limits your right to appear before the court at the time fixed for the hearing, either in person or by counsel or a solicitor, and to plead guilty or not guilty as you may desire. If you adopt this course the trial will proceed as though you had not already entered a written plea of guilty.

Dated this                      day of                                      19                      .

Complainant  
[On behalf of the Complainant]

FORM 4MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Statement of Facts**

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(Article 24(1)(ii); Rule 10)

*[Title as in Form 1]*

The purpose of this notice is to inform you that if you advise the clerk of petty sessions for the above mentioned district at that you wish to plead guilty to the charge(s) set out in the summons(es) served herewith without appearing before the court and the court proceeds to hear and dispose of the case in your absence under Article 24 of the above mentioned Order, the following statement of facts will be read out in open court before the court decides whether to accept your plea. If your plea of guilty is accepted the court will not, unless it adjourns the case after convicting you and before sentencing you, permit any other statement to be made by or on behalf of the complainant with respect to any fact relating to the charge.

**Statement of Facts**

**Complainant**  
**[On behalf of the Complainant]**

**FORM 5MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Certificate by Complainant of Service on Defendant of Forms 3 and 4**

(Article 24(1); Rule 10)

*[Title as in Form 1]*

I, \_\_\_\_\_ the complainant, hereby certify that copies of Forms 3 and 4 were served on the defendant together with the summons(es).

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

**Complainant**  
**[On behalf of Complainant]**

**FORM 6MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notification of Plea of Guilty and Statement of Mitigating Circumstances**

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(Article 24(2); Rule 10)

[Title as in Form 1]

In connection with the summons(es), for hearing on (date) notice and statement of facts now served upon you, will you please acknowledge receipt by signing and returning this form as soon as possible to the clerk of petty sessions at

I hereby acknowledge receipt of \_\_\_\_\_ summons(es), notice, statement of facts and notice of alleged previous convictions.

Signed: \_\_\_\_\_ MALE/FEMALE

Date of Birth (if over 21 state "over 21")

Present Address:

**Please complete either Section A or B.**

Note: If you intend to consult a solicitor you should do so before completing this form.

**Section A.**

If you desire a plea of guilty to be accepted without your attendance at court, please complete the following:

**Plea of Guilty**

I have read the statement of facts relating to the charge(s) against me.

I plead guilty to the charge(s) and I desire the court to deal with the case in my absence, and to take the following circumstances into account.

Signed

**Mitigating Circumstances**

(a) about the offence —

(b) about my personal and financial circumstances —

**Section B.**

If you propose to attend court considerable saving of time and expense may be effected if you will complete the following:

Do you intend to plead guilty?

Note: If having completed and returned the form, you change your mind, you should immediately inform the clerk of petty sessions in writing.

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**FORM 7MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Notice of Intention to Cite Previous Convictions**

(Article 125; Rule 23(6))

*[Title as in Form 1]*

TAKE NOTICE that if, but only if, you are convicted of [any of] the offence(s) of \_\_\_\_\_ in respect of which you are summoned to appear before the magistrates' court for the above mentioned district on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, the undermentioned convictions which are recorded against you will be brought to the notice of the court; and if you are not present in person before the court, the court may take account of any such previous conviction as if you had appeared and admitted it.

Date of Conviction	Court	Offence	Sentence

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Complainant

If you do not intend to appear in person at the hearing and you dispute any of the above convictions, or any of the details in connection with them, you should immediately notify the complainant at \_\_\_\_\_ so that further inquiries can be made. Nothing in this notice limits in any way your right to appear in person on the date fixed for the hearing and to dispute any conviction alleged against you.

**FORM 8MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Warrant of Arrest**

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(Articles 20(3), (4) and (5), 25, 118 and 138(5); Rules 14 and 143)

*[Title as in Form 1]*

WHEREAS a complaint has been made [on oath and in writing] [and substantiated on oath] that

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to arrest the said and bring him before a magistrates' court for the said county court division.

This day of 19 .

Resident Magistrate  
[Justice of the Peace]

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This form may be endorsed for bail as on Form 9.

**FORM 9 MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Bail Endorsement on Warrant of Arrest**

(Article 129; Rule 16)

I HEREBY DIRECT that on his own bail of £ [with sureties of £ be released each].

This day of 19 .

Resident Magistrate  
[Justice of the Peace]

**FORM 10 MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Warrant of Commitment on Remand [for enquiries after Conviction or for Medical Examination]**

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(Articles 47, 50 and 51; Rules 14 and 143)

[Title as in Form 1]

WHEREAS the defendant appeared this day before the magistrates' court sitting at \_\_\_\_\_ upon a complaint that \_\_\_\_\_

AND WHEREAS the hearing has been adjourned to a magistrates' court at (place) \_\_\_\_\_ on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ for the purpose of [further inquiries] [a medical examination].

This is to command you to whom this warrant is addressed to convey the defendant to HM Prison at \_\_\_\_\_ and there to deliver him to the Governor thereof, together with this warrant; and you, the said Governor, to receive him into your custody and unless you shall be otherwise ordered in the meantime to keep him until the above date and time [unless he and his sureties enter into the recognizances required by the endorsement on this warrant when he shall be produced before the said court;].

[And you, the said Governor, are hereby requested to arrange for an inquiry to be made [into the defendant's physical condition by a duly qualified medical practitioner] [into the defendant's mental condition by two duly qualified medical practitioners (one of whom shall be a practitioner appointed for the purposes of section 19 of the Mental Health Act (Northern Ireland) 1961) in order that a report be made thereon to the court.]

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at \_\_\_\_\_

NOTE: This warrant may be endorsed for bail as on Form 11.

**FORM 11MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Consent to Bail on Remand**

(Articles 37 and 47; Rule 16)

The court consented to defendant being released on his own bail of £ \_\_\_\_\_ [with sureties of £ \_\_\_\_\_ each] [or valuable securities].

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Resident Magistrate  
[Justice of the Peace]  
[Clerk of Petty Sessions]

**FORM 12MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Commitment on further Remand of Person in Custody unable to appear by reason of Illness or Accident**

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(Article 49; Rules 14 and 143)

[Title as in Form 1]

WHEREAS the defendant was on (date) , committed to your custody under a warrant on remand by a magistrates' court until today;

And the court is now satisfied that the defendant is unable by reason of [illness] [accident] to appear personally before the court;

THIS IS TO COMMAND YOU to whom this warrant is addressed to keep the defendant in your custody until the (date) at (time) when you shall produce the defendant before a magistrates' court sitting at (place)

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This day of 19 .

Clerk of Petty Sessions

To the Governor of HM Prison [Young Offenders Centre]

FORM 13MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Order to have Defendant brought before the Court before Expiration of Period of Remand

(Article 47(5))

[Title as in Form 1]

WHEREAS the defendant was committed to your custody under a warrant of commitment by a magistrates' court dated the day of 19 , [on remand until (date) ] [or state other circumstances of commitment];

[And it appears expedient to continue the hearing of the charge against the defendant before the expiration of the period of remand];

YOU ARE HEREBY ORDERED to bring the defendant on (date) before the magistrates' court sitting at (place) at (time) to be further dealt with according to law.

This day of 19 .

Clerk of Petty Sessions

To the Governor of HM Prison [Young Offenders Centre]

**B. Forms used in connection with Summary Trial.**  
FORM 14MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Commitment on Sentence of Imprisonment/Detention

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(Article 114; Rules 14, 15 and 143)

*[Title as in Form 1]*

WHEREAS upon the hearing of a complaint that

AN ORDER WAS MADE on the (date) \_\_\_\_\_, by a magistrates' court for the said district against the defendant to the following effect, viz:—

(Here insert order of court)

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to execute the said order against the said defendant, as follows:—

To lodge him in HM Prison [Young Offenders Centre] at [in accordance with Part IV of the Young Offenders Centre Rules (Northern Ireland) 1982] to be detained there for the period of \_\_\_\_\_

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

**C. Forms used in connection with Preliminary Investigation/Inquiry.**  
**FORM 15MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Statement of Complaint(s)**

(Article 32(1)(b)(i); Rules 25 and 32(5) and (6))

*[Title as in Form 1]*

Complaint(s)

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Complainant  
[On behalf of Complainant]

**FORM 16MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Deposition of a Witness**



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

(Articles 30(2), 34(2) and 39; Rules 26, 27 and 35)

*[Title as in Form 1]*

THE DEPOSITION of \_\_\_\_\_ of \_\_\_\_\_ taken in the presence and hearing of the defendant who stands charged [that] [as stated in the statement of complaint(s)]

The said deponent says on his oath that

And the said deponent binds himself [upon notice being given to him requiring his attendance] to attend and [to prosecute or] to give evidence at the trial of the said defendant for the said offence or otherwise to forfeit to the Crown the sum of \_\_\_\_\_ pounds.

Deponent

Taken before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ in the said county court division.

Resident Magistrate  
[Justice of the Peace]

FORM 17MAGISTRATES; COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Commitment for Trial

(Articles 37, 40 and 47; Rules 14 and 143)

*[Title as in Form 1]*

WHEREAS the defendant stands charged with the following offence(s):—

AND WHEREAS the defendant has been committed for trial to the Crown Court sitting at (place)

[AND WHEREAS a bill of indictment has been presented against the said defendant for the said offence(s).]

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to lodge the said defendant in HM Prison at \_\_\_\_\_ there to be imprisoned by the Governor until his trial for the said offence and he shall be discharged by due course of law or until he and his sureties enter into the recognizance required by the endorsement on this warrant.

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This warrant to be endorsed for bail as on Form 11.

FORM 18MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Commitment of Witness for refusing to enter Recognizance

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

(Article 39(5); Rules 14 and 143)

*[Title as in Form 1]*

WHEREAS a complaint was made on the (date) ,  
on the oath of (name) that

AND WHEREAS (name) a witness, has,  
without just excuse, refused to enter into a recognizance to give evidence on  
the trial of the defendant;

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to convey  
the said (name of witness) of  
to the HM Prison [Young Offenders Centre] at [in  
accordance with Part IV of the Young Offenders Centre Rules (Northern  
Ireland) 1982] there to be kept in custody by the governor until the trial of the said  
unless the witness  
shall in the meantime enter into such recognizance as required.

And for this the present warrant shall be a sufficient authority to all whom  
it may concern.

This day of 19 .

Resident Magistrate  
[Justice of the Peace]  
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at  
FORM 19MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Warrant for  
Discharge**

(Articles 37(4), 39(5) and 148(1); Rules 14, 16(3) and 143)

*[Title as in Form 1]*

WHEREAS a complaint was made that  
(offence alleged with time and place).

THIS IS TO COMMAND YOU to discharge the said defendant so committed on  
completing his recognizance unless he shall be in your custody for some other  
cause.

This day of 19 .

Clerk of Petty Sessions

To the Governor of HM Prison [Young Offenders Centre].

**D. Forms used in connection with Preliminary Inquiry.**  
FORM 20MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Notice of Intention  
to Request Court to Conduct a Preliminary Inquiry**

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

(Article 32(1)(a); Rule 32)

*[Title as in Form 1]*

The purpose of this Notice is to inform you that I, the above-named complainant, intend at the sitting of a magistrates' court at (place) on (date) to request the court to conduct a preliminary inquiry under the Order, unless the defendant (hereinafter called "the accused") objects to the conducting of such inquiry.

I hereby serve on you—

- (1) a statement of the complaint(s) on which I intend to ask the court to commit the accused for trial by jury;
- (2) copies of the written statements of each witness upon whose evidence the said complaint(s) is/are based;
- (3) a list of the names of the said witnesses and the number of pages containing each statement;
- \* (4) a list of every exhibit to be produced or referred to by the witnesses at the inquiry and referred to in such statements; and
- \* (5) where practicable, copies of each written exhibit referred to in paragraph (4) and in the statements referred to in paragraph (2).

\*Any of the exhibits referred to in paragraphs (4) and (5) of this Notice may be inspected by the accused at between the hour of and the hour of

\*The accused has the right to inspect every exhibit either by himself or in consultation with his solicitor or any witness the accused may wish to call at his trial.

The accused may object to the court conducting a preliminary inquiry or, even if he does not object, he may at the inquiry object to the admission of any statement tendered to the like extent as in the case of oral evidence and may require any person, whether his statement is tendered in evidence or not, to attend and give evidence at the inquiry.

Where the accused will require any witness whose statement of evidence is served together with this notice to give oral evidence at the preliminary inquiry it is desirable in order to avoid any adjournment of the court that I be so informed a reasonable time before the commencement of the inquiry by writing to me at the following address—

so that I can secure the attendance of the witness at the court at the time of the inquiry.

Dated this day of 19 .

Complainant  
[On behalf of Complainant]

To the Clerk of Petty Sessions at  
and to the Accused at

---

\*Delete where no exhibits

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 32; Rules 31 and 32)

NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT 1978  
(Section 1)

**Notice of Intention to Request Court to Conduct a Preliminary Inquiry**

*[Title as in Form 1]*

The purpose of this Notice is to inform you that I, the above-named complainant, intend at the sitting of the magistrates' court at (place) on (date) to request the court to conduct a preliminary inquiry under the Order.

I hereby serve on you ---

- (1) a statement of the complaint(s) on which I intend to ask the court to commit the defendant (hereinafter called "the accused") for trial;
- (2) copies of the written statements of each witness upon whose evidence the said complaint(s) is/are based;
- (3) a list of the names of the said witnesses and the number of pages containing each statement;
- \* (4) a list of every exhibit to be produced or referred to by the witnesses at the inquiry and referred to in such statements; and
- \* (5) where practicable, copies of each written exhibit referred to in paragraph (4) and in the statements referred to in paragraph (2).

\*Any of the exhibits referred to in paragraphs (4) and (5) of this Notice may be inspected by the accused at between the hour of and the hour of

\*The accused has the right to inspect every exhibit either by himself or in consultation with his solicitor or any witness the accused may wish to call at his trial.

The accused may at the inquiry make a submission that the holding of a preliminary inquiry would be contrary to the interests of justice and the court shall consider any such submission before deciding to hold such inquiry.

The accused may object to the admission of any statement tendered to the like extent as in the case of oral evidence and may require any person, whether his statement is tendered in evidence or not, to attend and give evidence at the inquiry.

Where the accused will require any witness whose statement of evidence is served together with this Notice to give oral evidence at the preliminary inquiry it is desirable in order to avoid any adjournment of the court that I be so informed a reasonable time before the commencement of the inquiry by writing to me at the following address—

so that I can secure the attendance of the witness at the court at the time of the inquiry.

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

Dated this                      day of    19                      .

Complainant  
[On behalf of Complainant]

To the Clerk of Petty Sessions at  
and to the Accused at

---

\* Delete where no exhibits

FORM 22

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 32; Rules 31 and 32)

CRIMINAL JURISDICTION ACT 1975  
(Section 4(3))

**Notice of Intention to Request Court to Conduct a Preliminary Inquiry  
(Extra-territorial Offences)**

*[Title as in Form I]*

The purpose of this Notice is to inform you that a magistrates' court for the said petty sessions district will sit at (place) on (date) to consider the complaint(s) of the extra-territorial offence(s) set out in the attached statement of complaint.

In accordance with section 4(3) of the Criminal Jurisdiction Act 1975 if the court at the request of the complainant decides to conduct an inquiry into the said complaint(s) the procedure will be by way of preliminary inquiry under Article 31 of the Order.

I hereby serve on you—

- (1) a statement of the complaint(s) on which I intend to ask the court to commit the above defendant (hereinafter called the accused) for trial;
- (2) copies of the written statement of each witness upon whose evidence the said complaint(s) is/are based;
- (3) a list of names of the said witnesses and the number of pages containing each statement;
- \* (4) a list of every exhibit to be produced or referred to by the witness at the inquiry and referred to in such statements; and
- \* (5) where practicable, copies of each written exhibit referred to in paragraph (4) and in the statements referred to in paragraph (2).

\*Any of the exhibits referred to in paragraphs (4) and (5) of this Notice may be inspected by the accused at between the hour of and the hour of

\*The accused has the right to inspect every exhibit either by himself or in consultation with his solicitor or any witness the accused may wish to call at his trial.

The accused may object at the inquiry to the admission of any statement tendered to the like extent as in the case of oral evidence and may require any person, whether his statement is tendered in evidence or not, to attend and give evidence at the inquiry except where it appears to the court that a witness is in the Republic of Ireland and that it is not reasonably practicable to secure his attendance.

Where the accused will require any witness whose statement of evidence is served together with this Notice to give oral evidence at the preliminary inquiry in order to avoid any adjournment of the court he should so inform me a reasonable time before the commencement of the inquiry by writing to me at the following address—

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

so that I can if practicable secure the attendance of the witness at the court at the time of the inquiry.

Dated this                      day of    19                      .

Complainant  
[On behalf of Complainant]

To the Clerk of Petty Sessions at  
and to the Accused at

\* Delete where no exhibits

**FORM 23MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981List of Witnesses and Number of Pages in Statement of Evidence of each Witness**

(Rule 32(4))

*[Title as in Form 1]*

Full name of witness	No. of pages in each witness's written statement	
	Typescript	Manuscript

The above is a true statement of the names and witnesses, copies of whose written statements are served on the defendant and the clerk of petty sessions for the above-named petty sessions district and county court division and of the number of pages in each written statement.

Complainant  
[On behalf of Complainant]

**FORM 24MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981List of Exhibits to be Produced or Referred to by Witness whose Written Statement is to be Tendered at a Preliminary Inquiry**

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

(Article 32(1)(b)(iii); Rule 32(5))

*[Title as in Form 1]*

No. or letter of Exhibit as Marked	Description	Name of Witness whose statement refers to Exhibit	If a copy of a written exhibit has been served on defendant say "Yes" or "No"

The above is a true list and description of the exhibits to be produced or referred to by the witnesses whose written statements have been served on the defendant and the clerk of petty sessions for the above-named petty sessions district and county court division.

Complainant  
[On behalf of Complainant]

FORM 25MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Statement of the Accused**



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

(Articles 30(4) and (5), 34(3) and (4); Rules 26 and 35)

[Title as in Form I]

A charge/charges having been made against the above defendant (hereinafter called "the accused") before the undersigned justice as set out in the statement of complaint(s).

And witnesses for the prosecution having been severally examined in the presence of the accused;

And certain written statements for the prosecution having been admitted in evidence.

And the said charge/charges having been put to the accused in accordance with the Magistrates' Court Rules (Northern Ireland) 1984.

And the accused being informed of his right, if he so desired, to give evidence on his own behalf and to call witnesses [or to tender any written statement of evidence].

The accused was then addressed as follows:

"You are not obliged to say anything in answer to the charge(s) unless you desire to do so, but whatever you say will be taken down in writing and may be given in evidence upon your trial. Do you wish to say anything in answer to the charge(s)?"

Whereupon the accused in reply said:—

The accused, [having made the statement above set out] [not having made any statement] in answer to the charge(s) was then asked whether he desired to give evidence on his own behalf, whether he desired to call witnesses; [or to tender a written statement of evidence pursuant to Article 33 of the Order].

The accused, having been informed that he was not obliged to give evidence or to call witnesses [or to tender any such statement] and that anyone giving evidence was liable to be cross-examined, in reply said:—

Taken before me this                      day of                      19                      ,  
at

Resident Magistrate  
[Justice of the Peace]

FORM 26MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Statement of  
Witness to be Tendered in Evidence at Preliminary Inquiry

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

(Article 33; Rule 39)

[Title as in Form 1]

Name of witness

Age (if over 21 enter "over 21")

Occupation

Address

I DECLARE that this statement consisting of \_\_\_\_\_ pages each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at a preliminary inquiry or at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe it to be true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Signature of Witness

Signature endorsed on declaration by the person who recorded statement or to whom it was delivered.

**[(For use only where witness cannot read)]**

The said witness being unable to read the above statement I declare that I read it to \_\_\_\_\_ of \_\_\_\_\_ before he signed it and he assented to it in accordance with Article 33(1)(f) of the Magistrates' Courts (Northern Ireland) Order 1981.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Signature of Reader.]

**NOTE:** Whenever possible statements should be on paper of A4 size. If statements are typed double spacing should be used; a space should be left at the top of the first page for headings to be entered by the clerk of petty sessions; and each page should have a wide margin on the left.

**FORM 27MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Authenticating Certificate of Clerk of Petty Sessions**

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

(Rule 41)

I hereby certify that at a preliminary inquiry \_\_\_\_\_ (state number) written statements of the witnesses shown on List of Witnesses attached were admitted in evidence:

\_\_\_\_\_ (state number) depositions of witnesses were taken and sworn and

\_\_\_\_\_ (state number) formal admissions were made in accordance with the attached schedule.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Clerk of Petty Sessions

**SCHEDULE**

**Depositions of Witnesses**

Name of Witness	No. of pages in each deposition

**E. Forms used in Connection with Committal for Trial of Person against whom an Indictment has been Presented.**

FORM 28MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Certificate of Indictment having been Presented**

(Article 40(1))

County Court Division of \_\_\_\_\_

I HEREBY CERTIFY that upon the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at the \_\_\_\_\_ held at \_\_\_\_\_ in the said county court division a bill of indictment was presented against \_\_\_\_\_ for that he

(state particulars of offence(s) alleged in indictment)

and that the said \_\_\_\_\_ has not appeared and pleaded to the said indictment.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Chief Clerk

FORM 29MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Warrant to arrest Person Indicted**

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

(Article 40(3); Rules 14 and 143)

[Title as in Form 1]

WHEREAS a complaint has been made on oath and in writing that the defendant

AND WHEREAS it has been certified to me that

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to arrest the said and bring him before a magistrates' court of the said county court division.

This day of 19 .

Justice of the Peace

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This warrant may be endorsed for bail as in Form 9.

**F. Forms used in connection with Summary Trial of  
Indictable Offences specified in Schedule 2 to the Order  
FORM 30MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**

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

(Articles 20 and 45; Rules 8 and 44(1))

**Summons to Defendant to answer Complaint charging an Indictable Offence specified in Schedule 2 to the Order**

*[Title as in Form I]*

WHEREAS a complaint has been made before me that on (date)  
at (place)  
in the said petty sessions district and county court division you, the said defendant,

THIS IS TO COMMAND YOU to appear in person as a defendant on the hearing of the said complaint at (place) , on (date)  
at (time) before a magistrates' court of the said county court division.

This day of 19 .

Justice of the Peace  
[Clerk of Petty Sessions]

**Notice under Article 45 of the said Order of 1981**

The [following] offence(s) [that is to say—]

for which you are hereby summoned to appear before the court [is] [are] [an] indictable offence(s) specified in Schedule 2 to the said Order which may be dealt with summarily by a resident magistrate in accordance with Article 45 of that Order.

The purpose of this notice is to inform you that the above offence(s) [is] [are] [an] offence(s) for which you have a right to be tried by jury and which may be dealt with summarily by a resident magistrate only with your consent, and if you do so consent, only where the prosecutor also consents.

The resident magistrate may, however, even if you consent and the prosecutor also consents to the summary trial of [any of] the above-mentioned offence(s), decide that for any of the reasons specified in Article 45(1) of the said Order, it is inexpedient to deal with any such offence(s) summarily.

FORM 30A

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

**MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**  
(Articles 20 and 45; Rules 8 and 44)

**NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT 1978**  
(Sections 6, 7 and 30; Schedule 4)

**Summons to Defendant to answer Complaint charging an Indictable Offence specified in Schedule 2 to the Order which is also a Scheduled Offence within the meaning of section 30(1) of the said Act of 1978**

[Title as in Form 1]

WHEREAS a complaint has been made before me that on (date) in the said district and county court division you, the said defendant, at (place)

THIS IS TO COMMAND YOU to appear as a defendant on the hearing of the said complaint at (place) on (date) at (time) before a magistrates' court of the said county court division.

Dated this day of 19

Justice of the Peace  
[Clerk of Petty Sessions]

Offences to which Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978 applies:

**Notice under Article 45 of the said Order of 1981**

The [following] offence(s) [that is to say—]

for which you are hereby summoned to appear before the court [is] [are] [an] indictable offence(s) specified in Schedule 2 to the said Order of 1981 which may be dealt with summarily by a resident magistrate in accordance with Article 45 of that Order.

The purpose of this notice is to inform you that the above offence(s) [is] [are] [an] offence(s) for which you have a right to be tried at the Crown Court and which may be dealt with summarily by a resident magistrate only with your consent, and if you do consent, only where the prosecutor also consents.

If you do not consent to be dealt with summarily, you will be tried at the Crown Court sitting in Belfast without a jury unless the Attorney General certifies that the offence(s) [is] [are] not be treated as [a] scheduled offence(s) in which case you will be tried by jury.

The resident magistrate may, however, even if you consent and the prosecutor also consents to the summary trial of [any of] the above-mentioned offence(s) decide that for any of the reasons specified in Article 45(1) of the said Order it is inexpedient to deal with any such offence(s) summarily.

FORM 31MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice under Article 45 of the above Order of 1981 to be given to an arrested person accused of an offence specified in Schedule 2 to that Order as soon as practicable after he has been formally charged with such Offence.

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

(Article 45; Rule 44(1))

The [following] offence(s) [that is to say —]

with which you are charged [is] [are] [an] indictable offence(s) specified in Schedule 2 to the said Order which may be dealt with summarily by a resident magistrate in accordance with Article 45 of that Order.

The purpose of this notice is to inform you that the above offence(s) [is] [are] [an] offence(s) for which you have a right to be tried by jury and which may be dealt with summarily by a resident magistrate only with your consent, and if you do so consent, only where the prosecutor also consents.

The resident magistrate may, however, even if you consent and the prosecutor also consents to the summary trial of [any of] the above-mentioned offence(s), decide that, for any of the reasons specified in Article 45(1) of the said Order of 1981, it is inexpedient to deal with any such offence(s) summarily.

Dated this                      day of                      19                      , at                      (time).

Signed

**FORM 31MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981** **Offences to which Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978 applies: Notice under Article 45 of the Order to be given to an arrested person accused of an offence specified in Schedule 2 to that Order as soon as practicable after he has been formally charged with such offence.**

(Article 45; Rule 44(1))

The [following] offence(s) [that is to say—]

with which you are charged [is] [are] [an] indictable offence(s) specified in Schedule 2 to the said Order which may be dealt with summarily by a resident magistrate in accordance with Article 45 of that Order.

The purpose of this notice is to inform you that the above offence(s) [is] [are] [an] offence(s) for which you have a right to be tried at the Crown Court and which may be dealt with summarily by a resident magistrate only with your consent and if you do so consent, only where the prosecutor also consents.

If you do not consent to be dealt with summarily, you will be tried at the Crown Court sitting in Belfast without a jury unless the Attorney General certifies that the offence(s) [is] [are] not to be treated as [a] scheduled offence(s) in which case you will be tried by jury.

The resident magistrate may, however, even if you consent and the prosecutor also consents to the summary trial of [any of] the above-mentioned offence(s) decide that for any of the reasons specified in Article 45(1) of the said Order it is inexpedient to deal with any such offence(s) summarily.

Dated this                      day of                      19                      , at                      (time).

Signed

**FORM 32MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981** **Written Waiver of Requirement of Notice under Article 45 of the Order**

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

(Article 45; Rule 44(2))

I HEREBY WAIVE my right to receive twenty-four hours' written notice of the fact that I am entitled to be tried by jury for the offence(s) specified in Form 31 in Schedule 1 to the Magistrates' Courts Rules (Northern Ireland) 1984 which form I have duly received, and I fully understand that the said offence(s) [is] [are] [an] offence(s) which may be dealt with summarily by a resident magistrate only with my consent and that if I do so consent only where the prosecutor also consents.

Dated this                      day of                      19 .

Defendant

**FORM 32MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Offences to which Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978 applies:Written Waiver of Requirement of Notice under Article 45 of the Order**

(Article 45; Rule 44(2))

I HEREBY WAIVE my right to receive twenty-four hours' written notice of the fact that I am entitled to be tried at the Crown Court for the offence(s) specified in Form 31A in Schedule 1 to the Magistrates' Courts Rules (Northern Ireland) 1984 which form I have duly received, and I fully understand that the said offence(s) [is] [are] [an] offence(s) which may be dealt with summarily by a resident magistrate only with my consent and that if I do so consent only where the prosecutor also consents

Dated this                      day of                      19 .

Defendant

**DEBT PROCEEDINGS**

**FORM 33MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Process in Debt Proceedings**



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

(Article 62; Rules 55, 57 and 84)

of  
of

Plaintiff

Defendant

Petty Sessions District of

County Court Division of

---

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer the plaintiff's claim for the sum of £ for

Dated this                      day of    19                      .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

NOTE: If the amount of the above claim, together with the sum of £ for the costs of this process, be paid to the plaintiff or his solicitor before the\*                      day of    19                      , proceedings will be stayed.

---

\* Insert entry date.

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

(Rule 85)

[Title as in Form 33]

TAKE NOTICE that the defendant intends at the hearing of the process issued in this case to claim a set-off [or make a counterclaim] against the plaintiff's claim, the particulars of which are as follows:—

Date	Nature of set-off or counter-claim	Amount

Dated this                      day of    19                      .

Defendant  
[Solicitor for the Defendant]  
[Address].

To the Plaintiff and to  
the Clerk of Petty Sessions  
for the above District.

FORM 35MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**Notice of Lodgment in Court of Amount Tendered**

(Rule 90(1))

[Title as in Form 33]

TAKE NOTICE that the defendant has paid into court the sum of £ the amount previously tendered to the plaintiff in satisfaction of the plaintiff's claim [for    ].

Dated this                      day of    19                      .

Defendant/Solicitor.

FORM 36MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**Decree in Debt Proceedings**

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

(Article 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant, claiming that he was indebted to the plaintiff in the sum of £ for

And it appearing to the court upon the hearing that the defendant is justly indebted to the plaintiff in the said sum [or the sum of £ ].

IT IS THEREFORE ORDERED by the court that the plaintiff do recover from the defendant the said sum of £ together with the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the day of 19 .

Debt	..	..	..	..	£
Costs	..	..	..	..	£
Witnesses' Expenses	..				£
<hr/>					
Total	..	..	..	..	£
<hr/>					

Resident Magistrate  
[Clerk of Petty Sessions]

**FORM 37MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Affidavit/  
Statutory Declaration of Default in Payment of Instalment in support of Application for Issue  
of Decree Hitherto Postponed on Terms**

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

(Article 116; Rule 91)

[Title as in Form 33]

I, \_\_\_\_\_, of \_\_\_\_\_ MAKE OATH AND SAY,

[Do SOLEMNLY AND SINCERELY DECLARE] as follows:—

1. At the magistrates' court sitting at (place) \_\_\_\_\_ on the (date) \_\_\_\_\_ the defendant was ordered to pay to the plaintiff the sum of £ \_\_\_\_\_, the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses and the Court further ordered the issue of the decree therefor to be postponed for the period of \_\_\_\_\_ on the terms that the defendant paid the said sums by instalments of £ \_\_\_\_\_ payable on the \_\_\_\_\_ day of each \_\_\_\_\_, the first of such instalments to be paid on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.
2. The defendant has made default in payment, and has failed to pay \_\_\_\_\_ of the said instalments, and the sum of £ \_\_\_\_\_ balance of the sum so ordered to be paid aforesaid, is now due by him on foot of the said order.
3. I am\* \_\_\_\_\_ and the above facts are within my own personal knowledge.

Sworn/Declared before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at (place) \_\_\_\_\_ in the county court division of \_\_\_\_\_.

Deponent/Declarant \_\_\_\_\_

Justice of the Peace  
[Commissioner for Oaths]  
[Clerk of Petty Sessions]

\* The Plaintiff: A person in the plaintiff's employment. A person acting under the plaintiff's direction.

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

(Articles 2(3) and 73(6); Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming the sum of £  
alleged to be due to the plaintiff for

and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim be dismissed [on the merits] [without prejudice], and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                    day of   , 19                   .

Costs .. .. .	£	_____
Witnesses' Expenses .. .. .	£	_____
<b>Total .. .. .</b>	<b>£</b>	<b>_____</b>

Resident Magistrate  
[Clerk of Petty Sessions].

FORM 39MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

(Rule 65)

County Court Division of..... Petty Sessions District of .....

Process Register in Debt Proceedings

Number	Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for plaintiff and defendant	Plaintiff	Amount sued for and cause of action	Names of witnesses (including names of persons making affidavits or statutory declarations)	Minute of Adjudication	Date of issue of order
				Defendant				

Resident Magistrate.

FORM 40MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

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

(Rule 65(4))

County Court Division of ..... Petty Sessions District of .....

**Memorandum of a Debt Proceeding entered in the Process Register of the Court of Summary Jurisdiction sitting at  
 , the day of 19 .**

Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for complainant and defendant	Plaintiff	Amount sued for and cause of action	Names of witnesses (including names of persons making affidavits or statutory declarations)	Minute of adjudication
			Defendant			

I certify the above extract to be a true copy.

Dated this          day of          19 .

Clerk of Petty Sessions.

**EJECTMENT PROCEEDINGS**

**FORM 41MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981** Process in Ejectment Proceedings in respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies

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

(Article 67; Rules 55, 57 and 95)

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant has neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at in the above-named petty sessions district, which the defendant held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds a year, to wit, the rent of , which tenancy [was duly determined by a notice to quit which expired on (date) and which notice was served on the (date) ] [or which tenancy ended on (date) ].

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) , at (time) to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this                      day of    19                      .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £                      for the costs of this process be paid to the plaintiff or his solicitor before the\*                      day of                      19                      , proceedings will be stayed.

\* Insert Entry Day

**FORM 42MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Process in Ejectment Proceedings in respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and for the Recovery Arrears of Rent or Sums due under Article 69 of the Order**

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

(Articles 67, 69 and 72(3); Rules 55, 57 and 95(5))

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant has neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at in the above-named petty sessions district, which the defendant held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds per year, to wit, the rent of , which tenancy [was duly determined by a notice to quit which expired on (date) and which notice was served on (date) ].

AND WHEREAS the plaintiff claims that the defendant is indebted to him in the sum of £ , in respect of arrears of rent up till the determination of the tenancy on (date) [and the sum of £ due to him up to the issue of this process under Article 69 of the Order] [arising from such tenancy under a lease dated ] [granted by [the plaintiff] to [the defendant]].

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer to the plaintiff's claim for possession of the said lands [or premises] and for the recovery of the said sum(s).

Dated this day of 19 .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ in respect of [arrears of rent [and sums due under Article 69 of the Order]] and for the costs of this process be paid to the plaintiff or his solicitor before the \* day of 19 , proceedings will be stayed.

\*Insert Entry Day

FORM 43MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Process in Ejectment Proceedings 'in respect of Lands or Premises to which sub-paragraph (b) of Article 67(1) of the Order Applies



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

(Article 67; Rules 55, 57 and 95(3))

[Title as in Form 33]

WHEREAS the plaintiff claims that the defendant, having been put into possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district by permission of the plaintiff as [servant] [herdsman] [caretaker] has refused [or omitted] to quit and deliver up possession of the lands [or premises] on demand made on (date) \_\_\_\_\_, by [the agent or receiver of] the plaintiff.

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) \_\_\_\_\_ on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ \_\_\_\_\_ for costs of this process be paid to the plaintiff or his solicitor before the\* \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, proceedings will be stayed.

\*Insert Entry Day.

**FORM 44MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Process in Ejectment Proceedings in respect of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 67 and 71; Rules 55, 57 and 95(4))

[Title as in Form 33]

WHEREAS the plaintiff claims that he is entitled to recover possession of the lands [or premises] situate at in the above-named petty sessions district under the provisions of

(state enactment under which proceedings taken)

by ejectment proceedings under and in accordance with Part VI of the Order by reason of

(here state cause of action and include a claim, if necessary, for arrears of rent or sums due under Article 69 of the Order).

THE DEFENDANT IS HEREBY REQUIRED to appear before the magistrates' court sitting at (place) on (date) at (time) to answer to the plaintiff's claim for possession of the said lands [or premises].

Dated this day of 19 .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address]

NOTE: If possession of the lands [or premises] is surrendered to the plaintiff and the sum of £ for the costs of this process be paid to the plaintiff or his solicitor before the \* day of 19 , proceedings will be stayed.

\*Insert Entry Day.

FORM 45MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies

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

(Articles 67 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at \_\_\_\_\_ on  
the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

It appearing to the court that a process to appear before the above court was duly served on the defendant, claiming that the defendant had neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district which he lately held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds per year, to wit, the rent of, \_\_\_\_\_ per [quarter] [month] [week] which tenancy [was duly determined by a notice to quit served on (date) \_\_\_\_\_] which expired on (date) \_\_\_\_\_ ] [ended on (date) \_\_\_\_\_ ].

And it appearing to the court that the defendant still neglects [or refuses] to deliver up possession of the said lands [or premises] and proof of the said holding, its [determination] [or end] at the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court cause why possession should not be given.

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses.

Issued on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

Costs .. .. .	£
Witnesses' Expenses ..	£
<hr/>	
Total .. .. .	£
<hr/>	

**FORM 46MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and for the Recovery of Arrears of Rent or Sums due under Article 69 of the Order**

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

(Articles 67, 69, 72(3) and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant, claiming that the defendant had neglected [or refused] to deliver up to the plaintiff possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district which he lately held from the plaintiff as tenant from [quarter to quarter] [month to month] [week to week] at a rent not exceeding the rate of one hundred and ten pounds a year, to wit, the rent of \_\_\_\_\_ per [quarter] [month] [week] [which tenancy was duly determined by a notice to quit served on (date) \_\_\_\_\_, which expired on (date) \_\_\_\_\_] [or which tenancy ended on (date) \_\_\_\_\_] and claiming that the defendant is indebted to the plaintiff in the sum of £ \_\_\_\_\_ in respect of arrears of rent up till (date) \_\_\_\_\_, [and the sum of £ \_\_\_\_\_ due under Article 69 of the Order up to the date of the issue of the said process] [arising from such tenancy under a lease dated \_\_\_\_\_] [granted by [the plaintiff] to [the defendant]].

And it appearing to the court that the defendant still neglects [or refuses] to deliver up possession of the said lands [or premises] and proof of the said holding, its [determination] [or end] and the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court reasonable cause why possession should not be given and that the defendant is indebted to the plaintiff in the sum of £ \_\_\_\_\_ in respect of arrears of rent [and the sum of £ \_\_\_\_\_ due under Article 69 of the said Order].

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ \_\_\_\_\_ in respect of arrears of rent [and the sum of £ \_\_\_\_\_ due under Article 69 of the said Order, for costs the sum of £ \_\_\_\_\_ and for witnesses' expenses the sum of £ \_\_\_\_\_].

Issued on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Clerk of Petty Sessions

Arrears of rent or sums due under Article 69 of the Order	..	..	..	..	£
Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
Total	..	..	..	..	£

**FORM 47MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (b) of Articles 67(1) of the Order Applies**

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

(Articles 67 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming that the defendant had refused [or omitted] to quit and deliver up to the plaintiff the possession of the lands [or premises] situate at \_\_\_\_\_ in the above-named petty sessions district on demand made by [the agent or receiver of] the plaintiff on (date) \_\_\_\_\_, into possession of which lands [or premises] the defendant had been put by permission of the plaintiff as [servant] [herdsman] [caretaker].

And it appearing to the court that the defendant still refuses [or omits] to deliver up possession of the said lands [or premises] and proof of the said permissive possession, its determination and the time and manner thereof has been duly given and the defendant has failed to show to the satisfaction of the court cause why possession should not be given.

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses.

Issued on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
Total	..	..	..	..	£

**FORM 48MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Decree for Recovery of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 67, 71 and 74; Rule 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming that the plaintiff was entitled to recover possession of the lands [or premises] situate at in the above-named petty sessions district under the provisions of (state enactment under which proceedings taken)

by ejection proceedings under and in accordance with Part VI of the Order by reason of

(here state grounds on which possession is claimed)

And it appearing to the court that the plaintiff is justly entitled to possession of the said lands [or premises] (here refer to section of enactment under which possession is claimed)

proof having been given that

(here state reasons why recovery of possession is ordered)

IT IS THEREFORE ORDERED that the plaintiff do recover from the defendant the said lands [or premises] and it is further ordered that the plaintiff do recover from the defendant the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                                      day of                                      19                                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
Total	..	..	..	..	£

FORM 49MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejection Proceedings in Respect of Lands or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies

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

(Articles 2(3), 67, 73 and 74; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] which the plaintiff alleged that the defendant held from the plaintiff from [quarter to quarter] [month to month] [week to week] at a rent not exceeding one hundred and ten pounds a year [which tenancy the plaintiff alleged had been duly determined by a notice to quit served on (date) ] [or which tenancy the plaintiff alleged had ended on (date) ] and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses				..	£
Total	..	..	..	..	£

FORM 50MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejection Proceedings in respect of Land or Premises to which sub-paragraph (a) of Article 67(1) of the Order Applies and where Arrears of Rent or Sums due under Article 69 of the Order were Claimed

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

(Articles 2(3), 67, 69, 72(3), 73 and 74; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] which the plaintiff alleged that the defendant held from the plaintiff from [quarter to quarter] [month to month] [week to week] at a rent not exceeding one hundred and ten pounds a year [which tenancy the plaintiff alleged had been duly determined by a notice to quit served on (date) ] [or which tenancy the plaintiff alleged had ended on (date) ] and claiming that the defendant is indebted to the plaintiff in the sum of £ in respect of arrears of rent up till (date) [and the sum of £ due under Article 69 of the Order] and the plaintiff has failed to prove the said claim(s).

IT IS THEREFORE ORDERED by the court that the said claim [for possession] [and] [for arrears of rent] and [such sum] be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the day of 19 .

Clerk of Petty Sessions

Costs	.. .. .	£
Witnesses' Expenses	.. .. .	£
		_____
Total	.. .. .	£
		_____

FORM 51MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Dismiss in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (b) of Article 67(1) of the Order Applies



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

(Articles 2(3), 67 and 73; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district being lands [or premises] into possession of which the plaintiff alleged the defendant had been put by permission of the plaintiff as [servant] [herdsman] [caretaker] and which the defendant had refused [or omitted] to deliver up and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim is dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of                      19                      .

Clerk of Petty Sessions

Costs	..	..	..	..	£
Witnesses' Expenses	..	..	..	..	£
<hr/>					
Total	..	..	..	..	£
<hr/>					

**FORM 52MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Dismiss in Ejection Proceedings in respect of Lands or Premises to which sub-paragraph (c) of Article 67(1) of the Order Applies**

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

(Articles 2(3), 67, 71 and 73; Rules 74 and 79)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process to appear before the above court was duly served on the defendant claiming possession of the lands [or premises] situate at in the above-named petty sessions district under the provision of (state enactment under which proceedings taken)

by reason of

and the plaintiff has failed to prove the said claim.

IT IS THEREFORE ORDERED by the court that the said claim be dismissed [on the merits] [without prejudice] and that the defendant do recover from the plaintiff the sum of £ for costs and the sum of £ for witnesses' expenses.

Issued on the                      day of    19 .

Clerk of Petty Sessions

Costs .. .. . £  
Witnesses' Expenses .. .. . £  
Total .. .. . £

FORM 53MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

(Rule 65)

COUNTY COURT DIVISION OF ..... PETTY SESSIONS DISTRICT OF.....

Process Register in Ejectment Proceedings

Number	Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for plaintiff and defendant	Plaintiff		Description of lands or premises possession of which claimed	Grounds on which possession claimed, ie whether paragraph (a), (b) or (c) of Article 67(1) of the Order applies, and, if (c) applies, enactment under which proceedings brought	Names of witnesses (including persons making affidavits or statutory declarations)	Minute of adjudication	Date of issue of order
				Plaintiff	Defendant					

Resident Magistrate

FORM 54MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

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

(Rule 65(4))

COUNTY COURT DIVISION OF ..... PETTY SESSIONS DISTRICT OF .....

**Memorandum of an Ejectment Proceeding entered in the Process Register of the Magistrates' Court sitting at  
on the day of , 19 .**

Date of hearing	Name of Resident Magistrate adjudicating	Solicitors and counsel (if any) for plaintiff and defendant	Plaintiff	Lands or premises the subject of the proceedings	Grounds upon which possession claimed ie whether paragraph (a), (b) or (c) of Article 67(1) of the Order applies, and, if (a) applies, enactment under which proceeding brought	Names of witnesses (including persons making affidavits or statutory declarations)	Minute of adjudication
			Defendant				

I certify the above extract to be a true copy.

Clerk of Petty Sessions

Dated the day of 19 .

**APPEALS AND APPLICATIONS TO MAGISTRATES' COURTS  
FORM 55MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice of Appeal  
to Magistrates' Court**



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

(Article 76; Rule 97)

of

Applicant } Petty Sessions District of

of

Respondent } County Court Division of

---

TAKE NOTICE that I, the undersigned, intend to apply to a magistrates' court for the above-named petty sessions district sitting at (place)  
on (date)  
at (time) for [a licence, permit, certificate or authorisation, etc]  
[an order authorising the disposal, destruction, forfeiture] under (state enactment).

Dated this                  day of    19 .

Applicant  
[Solicitor for Applicant]

To the Respondent  
of  
and to the Clerk of Petty Sessions for the above-named petty sessions district.

NOTE  
Rule 98(2) The notice served on the clerk of petty sessions shall be endorsed with the date upon which and the manner in which notice was served on the other party to the proceedings.

PROCEEDINGS ON COMPLAINT IN A CIVIL MATTER  
FORM 57MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**Summons to Defendant to Answer Complaint**

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

(Article 79; Rule 8)

[Title as in Form I]

WHEREAS a complaint has been made before me that on (date)  
at (place)  
you, the said defendant,

THIS IS TO COMMAND YOU to appear as a defendant on the hearing of the  
said complaint at (place)  
on (date) at (time)  
before a magistrates' court for the said county court division.

This day of 19 .

Justice of the Peace  
[Clerk of Petty Sessions]

To the said Defendant.

**FORM 58MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Summons to Vary,  
etc., Order for Periodical Payment**

(Articles 79 and 86; Rule 8)

[Title as in Form I]

WHEREAS a complaint has been made to me by the complainant  
who states that by an order made  
on (date) , under the (state statutory  
provision) by a magistrates' court sitting  
for the said petty sessions district the complainant [defendant] was ordered

(State shortly terms of the original order and mention any  
subsequent order and effect thereof)

And the complainant now applies  
for the said order to be varied [or revived, revoked, suspended or discharged]  
on the ground that

(State grounds of application)

THIS IS TO COMMAND YOU the said defendant to appear on (date)  
, at (time) , before  
the magistrates' court sitting at (place)  
to answer the said complaint.

This day of 19 .

Justice of the Peace  
[Clerk of Petty Sessions]

To the said Defendant

**FORM 59MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Order Varying,  
etc., Order for Periodical Payment**

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

(Article 86)

*[Title as in Form 1]*

WHEREAS a complaint has been made by the complainant who states that by an order made on (date) under the (state statutory provision) by a magistrates' court sitting for the said petty sessions district the [complainant] [defendant] was ordered

(State shortly terms of the original order and mention any subsequent order and effect thereof)

And the complainant has applied for the said order to be varied [or revived, revoked, suspended or discharged] on the ground that

(state grounds of application)

IT IS THIS DAY ADJUDGED that the said order be [forthwith] varied [or revoked, suspended or discharged] as follows:—

and the [complainant] [defendant] is ordered to pay the sum of £ for costs in

This day of 19 .

Resident Magistrate  
[Clerk of Petty Sessions]

## SATISFACTION AND ENFORCEMENT OF ORDERS

### A. Orders in Criminal Proceedings

FORM 60MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice to Defendant of Sum Adjudged to be Payable by a Conviction

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

(Article 91; Rule 105)

Petty Sessions Office  
Courthouse  
Order Book No.

TAKE NOTICE that at the magistrates' court held at (place) on (date), you were convicted of [an offence][offences] and ordered to pay the following sums:—

Fine	...	£
Compensations, etc.	...	£
Costs	...	£
Total	...	£

The court allowed you until (date), to pay the said sums [or the court ordered you to pay the said sums by instalments of commencing on (date)].

You may however apply to the court by notice in writing addressed to me at the above address for [an order for payment by instalments pursuant to Article 91(3) of the Order] or for further time for payment or for variation of an order for payment by instalments pursuant to Article 91(4) of the said Order. And the court ordered that if such payment is not made or such application received by me within the time allowed a warrant of commitment be issued committing you to prison [young offenders centre]. The issue of a warrant would increase the amount due. Payment may be made to me within the time allowed at the above address, or may be sent by post at your own risk. A payment made by post must be accompanied by this notice and postage must be prepaid.

Dated the                      day of    19 .

Clerk of Petty Sessions.

NOTE: It will be helpful to the court in dealing with your application if you will provide particulars of income, outgoings and any change of circumstance since the order was made.

FORM 61MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Warrant of Distress for Sum Adjudged to be Payable by a Conviction**



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

(Article 92(1)(a); Rules 14, 105, 143 and 144)

[Title as in Form 1]

WHEREAS, upon the hearing of a complaint that  
an order was made on (date) , by a  
magistrates' court for the said district against the said defendant to the  
following effect, viz:—

Defendant is hereby convicted of the said offence and ordered to pay for  
fine the sum of £ . and for costs the sum of £ [by  
instalments, of £ per , commencing on (date)  
][forthwith] [in ] and that in default of  
payment the said sum(s) be levied by distress:

AND WHEREAS the said order has not been complied with.

THIS IS TO COMMAND YOU to whom this warrant is addressed forthwith to  
make distress of the money and goods of the defendant; and if the sum stated  
at the foot of this warrant, together with the reasonable expenses of the  
making and keeping of the said distress, be not paid, then not earlier than the  
[third] day after the making of such distress to sell or cause to be sold the said  
goods, by auction or otherwise as defendant may in writing allow, and pay the  
proceeds of the said distress to the clerk of petty sessions for the said district,  
and if no such distress can be found, to certify the same to the court within a  
reasonable time.

Fine	..	..	..	..	£
Compensation	..	..	..	..	£
Costs	..	..	..	..	£
Cost of Warrant	..	..	..	..	£
					_____
		Total	.	.	£
Part Payment	..	..	..	..	£
					_____
Balance	..	..	..	..	£
					_____

This day of 19 .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

FORM 62MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of  
Commitment for Sum Adjudged to be Payable by a Conviction

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

(Articles 91 and 92 (1)(b); Rules 14, 105 and 143)

[Title as in Form 1]

WHEREAS, upon the hearing of a complaint that

an order was made on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, by a magistrates' court for the said district against the said defendant to the following effect, viz:—

Defendant is hereby convicted of the said offence and ordered to pay for fine the sum of £ \_\_\_\_\_ and for costs the sum of £ \_\_\_\_\_ in \_\_\_\_\_ [forthwith] [by instalments of £ \_\_\_\_\_ commencing on (date) \_\_\_\_\_ and in default of payment to be imprisoned [detained] in HM Prison [Young Offenders Centre] at \_\_\_\_\_ for the period of \_\_\_\_\_ unless the said sums be sooner paid.

AND WHEREAS the said order has not been complied with.

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to execute the said order against the defendant as follows:—

To lodge the defendant in HM Prison [Young Offenders Centre] at \_\_\_\_\_ [in accordance with Part IV of the Young Offenders Centre Rules (Northern Ireland) 1982] there to be imprisoned [detained] for the period of \_\_\_\_\_ unless the said sums be sooner paid.

And for this the present warrant shall be a sufficient authority to all whom it may concern. The sum levied to be paid to the clerk of petty sessions at \_\_\_\_\_

The warrant to be returned within a reasonable time if not executed.

Fine .. .. .	£
Compensation .. .. .	£
Costs .. .. .	£
Cost of Warrant .. .. .	£
<hr/>	
Total .. .. .	£
Part Payment .. .. .	£
<hr/>	
Balance .. .. .	£
<hr/>	

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at \_\_\_\_\_

FORM 63

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 114; Rules 14, 15, 108 and 143)

TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968  
(Section 19(1)(a) or (b))

**Warrant of Commitment on Commission of Further Offence  
during Operational Period of Suspended Sentence**

[Title as in Form 1]

Court: \_\_\_\_\_ Date: \_\_\_\_\_

Convicted of:

Sentence:

(if varied insert details)

SUBSEQUENTLY CONVICTED: at \_\_\_\_\_ of (offence) \_\_\_\_\_  
magistrates' court on (date) \_\_\_\_\_ being an offence  
COMMITTED ON (date) \_\_\_\_\_  
punishable with imprisonment [detention].

ORDER:— \_\_\_\_\_ Court on (date) \_\_\_\_\_  
ordered that the said suspended sentence take effect [with the substitution of  
a term of \_\_\_\_\_ imprisonment [detention]  
for the original term].

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to execute  
the last-mentioned order as follows:—

To lodge the defendant in HM Prison [Young Offenders Centre] at \_\_\_\_\_  
[in accordance with Part IV of  
the Young Offenders Centre Rules (Northern Ireland) 1982] to be imprisoned  
[detained] there for the period of \_\_\_\_\_ [to commence on the expiration of the  
term of imprisonment [detention]]

And for this the present warrant shall be a sufficient authority to all whom  
it may concern.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

FORM 64

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rule 8)

TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968  
(Section 21)

**Summons on Complaint for Appearance before Court by which a  
Suspended Sentence has been Passed**

*[Title as in Form 1]*

WHEREAS a complaint has been made before me that on (date) you, the said defendant, were convicted by the Crown Court [a magistrates' court] sitting at of the following offence:—

(state shortly particulars of offence)

and were sentenced to imprisonment [detention] for (state period) and that the said court made an order that the said sentence of imprisonment [detention] should not take effect unless during the period of years from the date of such conviction you committed in Northern Ireland another offence punishable with imprisonment [detention].

(if varied insert details)

AND WHEREAS the complaint alleges that on (date) you were convicted by the Crown Court [a magistrates' court] sitting at (place) of the following offence:—

(state shortly particulars of offence)

being an offence punishable with imprisonment [detention] committed by you on (date) during the said period [as so varied].

THIS IS TO COMMAND YOU to appear at the Crown Court [or a magistrates' court], sitting at (place) on (date)

This                      day of    19                      .

Justice of the Peace  
[Clerk of the Petty Sessions]

To the said Defendant.

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rules 14 and 143)

TREATMENT OF OFFENDERS ACT (NORTHERN IRELAND) 1968  
(Section 21)

**Warrant for Arrest of Person upon whom a Suspended  
Sentence has been Passed**

*[Title as in Form 1]*

WHEREAS a complaint has been made in writing and on oath that on the  
day of 19 , the said  
defendant was convicted by the Crown Court [a magistrates' court] sitting  
at (place) of the following  
offences:—

(state shortly particulars of offence)

and was sentenced to imprisonment [detention] for (state period)  
and that the said Court made an order that the said sentence of imprisonment  
[detention] should not take effect unless during the period of years  
from the date of such conviction the defendant committed in Northern  
Ireland another offence punishable with imprisonment [detention].

(if varied insert details)

AND WHEREAS the complainant alleges that on (date)  
the defendant was convicted by the Crown Court [a magistrates' court] sitting  
at (place) of the following  
offence:—

(state shortly particulars of offence)

being an offence punishable with imprisonment [detention] on  
(date) during the said period [as so varied];

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to arrest the  
said defendant and bring him before the Crown Court sitting at (place)  
on (date)  
[or] [forthwith, before a magistrates' court.]

This day of 19 .

Justice of the Peace.

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This form may be endorsed for bail as on Form 9.

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 114; Rules 14, 15 and 143)

TREATMENT OF OFFENDERS (NORTHERN IRELAND) ORDER 1976  
(Article 3)

**Warrant of Commitment where Person is ordered under Article 3(1) of the Treatment of Offenders (Northern Ireland) Order 1976 to be Returned to Prison**

[Title as in Form 1]

WHEREAS it appears that the defendant was on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, discharged from HM Prison [Young Offenders Centre] at \_\_\_\_\_ and was at that date serving a sentence of imprisonment [period of detention in a young offenders centre] which but for his discharge pursuant to prison rules would have expired on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_;

AND WHEREAS he was on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, convicted by a magistrates' court sitting for the above-named petty sessions district of the following offence(s) (being [an] offence(s) for which the court had power to sentence him to imprisonment [detention]); namely:—

committed on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, and the court ordered that

(state court order(s) made on conviction for offence(s))

The court further ordered that the defendant be returned to prison [a young offenders centre] until

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to lodge the defendant in HM Prison [Young Offenders Centre] at \_\_\_\_\_ [in accordance with Part IV of the Young Offenders Centre Rules (Northern Ireland) 1982] to be imprisoned [detained] there for the above period.

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

FORM 67

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 114; Rules 14, 15 and 143)

TREATMENT OF OFFENDERS (NORTHERN IRELAND) ORDER 1976  
(Article 3(4))

**Warrant of Commitment to the Crown Court under Article 3(4) of the  
Treatment of Offenders (Northern Ireland) Order 1976**

*[Title as in Form 1]*

WHEREAS it appears that the defendant was on the \_\_\_\_\_ day of  
19\_\_\_\_, discharged from HM Prison  
[Young Offenders Centre] at  
and was on that date serving a sentence of imprisonment [period of detention  
in a young offenders centre] which but for his discharge pursuant to prison  
rules would have expired on the \_\_\_\_\_ day of 19\_\_\_\_;

AND WHEREAS he was on the \_\_\_\_\_ day of 19\_\_\_\_,  
convicted by a magistrates' court sitting for the above-named petty sessions  
district of the following offence(s) being [an] offence(s) for which the court  
had power to sentence him to imprisonment [detention] namely:—

AND WHEREAS the period between the date on which the court might have  
made an order under Article 1(1) of the Treatment of Offenders (Northern  
Ireland) Order 1976 and the date aforesaid on which his sentence of  
imprisonment [or period of detention] would have so expired exceeds twelve  
months.

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to lodge the  
said defendant in HM Prison [Young Offenders Centre] at \_\_\_\_\_  
[in accordance with Part IV  
of the Young Offenders Centre Rules (Northern Ireland) 1982] in order that he may be  
brought before the Crown Court sitting at (place)

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

FORM 68

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rule 8)

TREATMENT OF OFFENDERS (NORTHERN IRELAND) ORDER 1976  
(Article 5)

**Summons upon complaint that Person has been Convicted as mentioned in Article 3(1)(a) of the Treatment of Offenders (Northern Ireland) Order 1976 after his Discharge from Prison and has not been Ordered to be Returned to Prison or Young Offenders Centre**

[Title as in Form 1]

WHEREAS a complaint has been made before me that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, you the defendant were discharged from HM Prison [Young Offenders Centre] at \_\_\_\_\_ and were at that date serving a sentence of imprisonment [period of detention in a young offenders centre] which, but for such discharge pursuant to prison rules would have expired on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

And that on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, you were convicted by the Crown Court [magistrates' court] sitting at \_\_\_\_\_ of the following offence(s), namely:

(being [an] offence(s) for which the court had power to sentence you to imprisonment [detention] committed on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_).

AND THE COURT ORDERED THAT

(state court order made on conviction for offence(s))

AND THAT YOU WERE NOT ORDERED to be returned to prison [a young offenders centre].

---

THIS IS TO COMMAND YOU to appear at the Crown Court [or a magistrates' court] sitting at (place) \_\_\_\_\_ on (date) \_\_\_\_\_ at (time) \_\_\_\_\_.

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Justice of the Peace  
[Clerk of Petty Sessions]

To the said Defendant.

FORM 69



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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rules 14 and 143)

TREATMENT OF OFFENDERS (NORTHERN IRELAND) ORDER 1976  
(Article 5)

**Warrant for Arrest of Person who has been Convicted as mentioned in Article 3(1)(a) of the Treatment of Offenders (Northern Ireland) Order 1976 after his Discharge from Prison and who has not been Ordered to be Returned to Prison or Young Offenders Centre**

[Title as in Form 1]

WHEREAS a complaint in writing and on oath has been made before me that on (date) the said defendant was discharged from HM Prison [Young Offenders Centre] at and was at that date serving a sentence of imprisonment [period of detention in a young offenders centre] which, but for such discharge pursuant to prison rules would have expired on the day of 19 .

And that the defendant was convicted on the day of 19 , by the Crown Court [a magistrates' court] sitting at of the following offence(s), namely:—

(being [an] offence(s) for which the court had power to sentence the defendant to imprisonment [detention] committed on the day of 19 ).

AND THE COURT ORDERED THAT

(state court order made on conviction for offence(s))

AND THAT THE DEFENDANT WAS NOT ORDERED to be returned to prison [a young offenders centre].

---

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to arrest the said and bring him before the Crown Court sitting at or if that court is not sitting forthwith before a magistrates' court.

This day of 19 .

Justice of the Peace

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This form may be endorsed for bail as on Form 9.

FORM 70MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Transfer of Fine Order**

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

(Article 95; Rule 108)

[Title as in Form 1]

The above-named defendant was on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, convicted by a magistrates' court for the above-mentioned petty sessions district sitting at \_\_\_\_\_ of the following offence:—

(state shortly particulars of offence)

and was adjudged to pay a fine of £ \_\_\_\_\_ [and £ \_\_\_\_\_ for compensation] [and £ \_\_\_\_\_ for costs] [by weekly [or monthly] instalments of £ \_\_\_\_\_,] the first instalment of the said sum(s) to be paid forthwith [or not later than the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_] [and the court fixed the term of imprisonment [detention] in default as [weeks] [months];]

And the defendant has [paid £ \_\_\_\_\_ in part payment, but has] made default in payment [of a balance of £ \_\_\_\_\_];

[And the time for payment has not yet expired;]

And it appears that the defendant is residing at \_\_\_\_\_ [or (state address) within [the petty sessions area of \_\_\_\_\_] [or the jurisdiction of the \_\_\_\_\_ court of summary jurisdiction in Scotland];

[And no term of imprisonment has been fixed in the event of a future default in paying the sum(s) in question;].

A transfer of fine order is hereby made in pursuance of Article 95 of the Order that payment of the sum(s) be enforceable [in the petty sessions area] [or, by the \_\_\_\_\_ Court] to the extent of that balance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Clerk of Petty Sessions

Steps taken to recover the sum:

Other information likely to assist enforcement:

NOTE: To be entered on the copy sent to the clerk of the court for enforcement.

FORM 71MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Further Transfer of Fine Order



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

(Article 96; Rule 109)

[Title as in Form 1]

	£	p	On the            day of
Fine			19            , you were adjudged by the
Compensation			magistrates' court [or crown court]
Costs			sitting at
Total			[or by a court of summary
Part payment			jurisdiction in Scotland, namely the
Balance			court at            ]
			to pay the sum(s) shown in the
			margin hereof [in instalments of
			£    ] and the said sum(s)
			[or the balance of £    ]
			remain(s) unpaid.

You are hereby given notice that in consequence of a transfer of fine order made on the            day of            19            , the enforcement of payment of the said sum(s) [or balance] is enforceable by a magistrates' court acting for the above mentioned petty sessions district.

Payment of the said sum(s) [or balance] should be made forthwith [or before the            day of            19            ] either by post in an envelope addressed to me, the clerk of petty sessions, at (address of courthouse) or made personally at the court office at (address) between the hours of            and            on the following days namely

If you cannot pay, you should within 14 days from the date of service hereof make application for [further] time [or payment by instalments] to be granted and the application must be made in person to the court at            (address).

If you fail to pay or make such application within that time, a warrant may be issued committing you to prison in default of payment.

Dated this            day of            19            .

Clerk of Petty Sessions

NOTE: Any communications sent by post must be properly stamped. Cash should not be sent in an unregistered envelope.

FORM 73MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

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

(Article 101; Rules 111 and 112)

**Attachment of Earnings Order — Maintenance**

**PRIORITY**

[Title as in Form 1]

To \_\_\_\_\_ of \_\_\_\_\_  
of \_\_\_\_\_ who works  
at \_\_\_\_\_ as a \_\_\_\_\_

No. \_\_\_\_\_ (Works a [week/month] 19 \_\_\_\_\_)  
) is required to make payments of £ \_\_\_\_\_  
under a maintenance order made on \_\_\_\_\_  
by the (insert court). An application has been made for an attachment of  
earnings order to secure the payments and it appears that earnings are  
payable by you to him.

You are ordered to make out of those earnings periodical deductions in  
accordance with Article 102 of the Order. For the purpose of calculating the  
deductions the normal deduction rate shall be £ \_\_\_\_\_ a [week/month] and  
the protected earnings rate shall be £ \_\_\_\_\_ a [week/month] the first payment  
to be made on (date) \_\_\_\_\_.

And you are ordered to pay the sums deducted to the clerk of petty  
sessions for the above-named petty sessions district at \_\_\_\_\_  
as and when the deductions are made, quoting reference number [ \_\_\_\_\_ ].

Dated \_\_\_\_\_ 19 \_\_\_\_\_.

Resident Magistrate  
[Clerk of Petty Sessions]

**Indorsement on copy sent to defendant**

This is a copy of an attachment of earnings order directed to your  
employer. If you leave his employment or become employed or re-employed,  
you must notify the clerk of petty sessions in writing within seven days, giving  
particulars of your earnings and anticipated earnings from any new  
employment. Failure to do so may render you liable to a fine.

NOTE: Copies of Articles 102, 106 and 108 of the Magistrates' Courts (Northern  
Ireland) Order is annexed.

FORM 74MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

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

(Article 101; Rule 117)

**Temporary Variation Order**

**PRIORITY**

[Title as in Form 1]

To \_\_\_\_\_ of \_\_\_\_\_

An attachment of earnings order made by the magistrates' court sitting at \_\_\_\_\_ in respect of \_\_\_\_\_ (hereinafter called the defendant) who works at \_\_\_\_\_ as a \_\_\_\_\_ (Works No. \_\_\_\_\_) has been served on you and the defendant has applied for a temporary variation in the order.

You are ordered to make deductions under that order as if it specified as the protected earnings rate the rate of £ \_\_\_\_\_ a [week/month].

This variation shall remain in force for a period of [ \_\_\_\_\_ ] weeks.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Resident Magistrate  
[Clerk of Petty Sessions]

NOTE: On the expiry of this temporary variation order, deductions should be made in accordance with the attachment of earnings order.

**B. Orders in Debt Proceedings**

FORM 75MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Enforcement Process under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981

[Title as in Form 33]

WHEREAS the plaintiff alleges that the sum of £ \_\_\_\_\_ is now due to him from the defendant in pursuance of a decree obtained by him against the defendant in a magistrates' court for the [above-named petty sessions district] [the petty sessions district of \_\_\_\_\_] on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, whereby the defendant was ordered to pay to the plaintiff the sum of £ \_\_\_\_\_ and the sum of £ \_\_\_\_\_ for costs and witnesses' expenses;

AND WHEREAS no attachment of earnings order is in force;

THE DEFENDANT therefore is hereby required to appear personally before a magistrates' court at (place) \_\_\_\_\_ on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ to be examined on oath touching the means he has or has had or but for his own default would have had since the date of the decree to satisfy the sum payable in pursuance of the said decree; and also to show cause why an order committing him to prison should not be made against him for default made by him in payment of the above-mentioned sum, or in the alternative, to show cause why an order should not be made against him for payment of the said sum by instalments or otherwise as the court shall direct.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

NOTE: If the amount due, together with the sum of £ \_\_\_\_\_ for the costs of this process, be paid to the plaintiff or his solicitor before the\* \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, proceedings will be stayed.

**FORM 76MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Enforcement Order under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981**

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

(Rule 128)

[Title as in Form 33]

By the magistrates' court sitting at \_\_\_\_\_ on  
the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

It appearing to the court that a process was duly served on the defendant requiring him to appear personally before the above court and to show cause why an order committing him to prison should not be made against him for default made by him in payment of the sum of £ \_\_\_\_\_ due by him in pursuance of a decree of a magistrates' court at (place) \_\_\_\_\_ obtained by the plaintiff against the defendant on (date) \_\_\_\_\_ whereby the defendant was ordered to pay to the plaintiff the sum of £ \_\_\_\_\_ and the sum of £ \_\_\_\_\_ for costs and witnesses' expenses or, in the alternative, to show cause why an order should not be made against the defendant for payment of the said sum by instalments or otherwise as the court should direct;

And the defendant having failed to show cause why an order should not be made and there being no attachment of earnings order in force in respect of the said sum;

IT IS THEREFORE ORDERED by the Court that the plaintiff do recover from the defendant, the said sum of £ \_\_\_\_\_ together with the sum of £ \_\_\_\_\_ for costs of this order and witnesses' expenses, by instalments of £ \_\_\_\_\_ on the \_\_\_\_\_ day of each of \_\_\_\_\_, the first of each instalments to be paid on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

And the plaintiff's alternative application in the said process for the committal of the defendant is accordingly dismissed without prejudice to the same being renewed in case of the defendant's default.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Clerk of Petty Sessions

**FORM 77MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Committal Process under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981**



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

(Rule 129)

[Title as in Form 33]

WHEREAS the plaintiff obtained an enforcement order against the defendant in the above-named court [or obtained an instalment order against the defendant under Article 30 of the second above-named Order from the Enforcement of Judgments Office] on the \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_, for the payment of the sum of £ \_\_\_\_\_ together with the sum of £ \_\_\_\_\_ for costs and the sum of £ \_\_\_\_\_ for witnesses' expenses by instalments of £ \_\_\_\_\_ ;

AND WHEREAS the plaintiff alleges that default has been made in payment of the sum of £ \_\_\_\_\_ being the instalment due on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, payable in pursuance of the said order;

AND WHEREAS no attachment of earnings order is in force in respect of the said sum;

THE DEFENDANT is hereby required to appear personally before the magistrates' court at (place) \_\_\_\_\_ on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ to show cause why he should not be committed to prison for default made by him in payment of the said sum or in the alternative for such other order as the court has power to make either under Article 98 or 107 of the said Order.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

NOTE: If the amount in respect of which the defendant has made default in payment, together with the sum of £ \_\_\_\_\_ for the costs of this process, be paid to the plaintiff or his solicitor before the \* \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, further proceedings in respect thereof will be stayed.

\* Insert entry date.

FORM 78MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Committal Order under Part VIII of the Judgments Enforcement (Northern Ireland) Order 1981

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

(Rules 128 and 129)

[Title as in Form 33]

By the magistrates' court sitting at (place)  
on (date)

It appearing to the court that a process was duly served on the defendant requiring him to appear personally before the above-named court to show cause why he should not be committed to prison for default made by him in payment of £ [being the of the instalments due on the day of 19 , by] which he was ordered to pay to the plaintiff [the sum of £ ] by order of [the said court] [the magistrates' court sitting at ] [or the Enforcement of Judgments Office] under Article 30 of the second above-named Order made on (date)

And it appearing on the hearing of the said process that no attachment of earnings order is in force and that default has been made by the defendant in payment of the said sum of £ and that he now has [or has had] [or but for his act or default would have had since the making of the order] the means to pay the said sum, and has refused or neglected to pay the same, and the defendant having failed to show cause why he should not be committed to prison;

IT IS THEREFORE ORDERED by the court that for such default the defendant shall be committed to HM Prison at for the period of unless he shall sooner pay the said sum, together with the sum of £ for costs of this order and witnesses' expenses, and you to whom this order is addressed are hereby commanded to execute this order against the defendant.

Dated this day of 19 .

Amount due	..	..	..	£
Costs of this order	..	..	..	£
Witnesses' expenses	..	..	..	£
Total	..	..	..	£

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

**C. Orders in Ejectment Proceedings**

**FORM 79MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Notice of Intention to Apply for the Issue of Ejectment Decree for Overholding**

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

(Article 116; Rules 131 to 133)

[Title as in Form 33]

TAKE NOTICE that an application will be made to the magistrates' court sitting at (place) on (date) at (time) for an order authorising the issue of a decree for the recovery of possession of the lands [or premises] situate at granted at the said court on the day of 19 .

The said application will be made on the ground that default has been made by you in payment of the amounts which the court, at the time of the granting of the decree, ordered you to pay. You may, if you so desire, attend at the hearing of the application and make such representations to the court as you think fit.

Dated this day of 19 .

Plaintiff  
[Solicitor for the Plaintiff]  
[Address].

To the Defendant

Copy to the Clerk of Petty Sessions

**D. Orders for the payment of sums (other than on conviction) made in proceedings upon complaint**

FORM 80MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Complaint for Arrears under an Order for Periodical [Lump Sum] Payment enforceable under Article 98 (as applied by Article 99) of the Order**

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

(Articles 98 and 99; Rule 7)

[Title as in Form 1]

I, \_\_\_\_\_ of \_\_\_\_\_  
SAY upon oath that by an order duly made on (date) \_\_\_\_\_ by  
a magistrates' court [as varied on (date) \_\_\_\_\_].

of \_\_\_\_\_ (hereinafter called "the defendant")

(insert details of order as appropriate)

And that the payments directed to be made by the said order have not been made according thereto by the defendant and that there is now in arrear for the same the sum of £ \_\_\_\_\_, being the amount due under the order until the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

And the complainant prays that a warrant may issue for the arrest of the defendant.

Complainant  
[for Complainant].

Arrears due	..	..	..	£
Costs due	..	..	..	£
Total	..	..	..	£

Taken and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

Justice of the Peace.

FORM 81MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981**Summons for Arrears under an Order for Periodical [Lump Sum] Payment**

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

(Articles 98(1)(a) and 99; Rule 8)

[Title as in Form 1]

WHEREAS a complaint has been made before me that by an order duly made on (date) by a magistrates' court for the above-named district

(insert details of order as appropriate)

And that the payments directed to be made by the said order have not been made according thereto by you, and that there is now in arrear for the same the sum of £ being the amount due under the order up to and including the day of 19 .

THIS IS THEREFORE TO COMMAND YOU to appear as a defendant on the hearing of the said complaint at the magistrates' court at (place) on (date) at (time) to show cause why an order should not be made against you in respect of the said sums.

Arrears due	..	..	..	£
Costs due	..	..	..	£
Total	..	..	.	£

This day of 19 .

Justice of the Peace.  
[Clerk of Petty Sessions]

To the said Defendant.

**FORM 82MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Warrant of Arrest for Arrears under an Order for Periodical [Lump Sum] Payment**

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

(Articles 98(1)(b) and 99; Rules 14 and 143)

[Title as in Form I]

WHEREAS a complaint has been made on oath in writing on (date) that by an order duly made on (date) by a magistrates' court [as varied on (date) ] (name) of (hereinafter called "the defendant")

(insert details of order as appropriate)

And that the payments directed to be made by the said order have not been made according thereto by him and that there is now in arrear for the same the sum of £ , being the amount due under the said order up to and including the day of 19 .

THIS IS THEREFORE TO COMMAND YOU, to whom this warrant is addressed, unless the said sum be sooner paid, forthwith to apprehend the said defendant, and to bring him before a resident magistrate in accordance with Article 98(1)(b) of the Order, to answer to the said complaint, and be dealt with according to law.

Arrears due	..	..	..	£
Costs due	..	..	..	£
Total	..	..	..	£

This day of 19 .

Justice of the Peace.

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This Warrant may be endorsed as on Form 4.

FORM 83MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Distress for Arrears

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

(Articles 98(4)(a) and 99; Rules 14, 143 and 144)

[Title as in Form 1]

WHEREAS a complaint has been made [upon oath] on (date)  
that an order duly made on (date) by a magistrates' court  
[as varied on (date) ] the above-named  
defendant

(insert details of order as appropriate)

And the sum of \_\_\_\_\_ duly appearing to the court to be due, an  
order was made by the court on (date) \_\_\_\_\_, to the  
following effect:—

IT IS HEREBY ORDERED that the sum of £ \_\_\_\_\_ be levied by  
distress of the defendant's money and goods and sale of his goods.

THIS IS THEREFORE TO COMMAND YOU, to whom this warrant is addressed,  
unless the said sum be sooner paid, to execute the said order against the  
defendant as follows:—

To levy forthwith the said sum by distress of his money and goods and the  
sale of his goods, the sum levied to be paid to the clerk of petty sessions for  
the said district.

And for this the present warrant shall be a sufficient authority to all whom  
it may concern.

And I further command you to make return to this warrant on (date)  
\_\_\_\_\_, to the magistrates' court at (place) \_\_\_\_\_.

Arrears due	..	..	..	£
Costs due	..	..	..	£
Costs of Enforcement	..	..	..	£
Warrant Fee	..	..	..	£
Total	..	..	..	£

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

Resident Magistrate  
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

FORM 84MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of  
Commitment in Default of Distress for Arrears under an Order for Periodical [Lump Sum]  
Payment

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

(Articles 98(5) and 99; Rules 14 and 143)

[Title as in Form 1]

WHEREAS a complaint has been made [upon oath] on (date) that by an order duly made on (date) magistrates' court [as varied on (date)] the above-named defendant, by a ] the

(insert details of order as appropriate)

And the sum of £ appearing to the said magistrates' court to be due by the defendant under the said order. It was ordered by the said court on (date), that the said sum of £, be forthwith levied by distress of the defendant's money and goods and the sale of his goods.

AND WHEREAS upon the return of the warrant of distress issued for the recovery of the said sum it appears to the court that no sufficient distress can be had wherewith to satisfy the said sum [and whereas the court is satisfied that the default is due to the wilful refusal or culpable neglect of the defendant to pay the said sum] the court ordered that the defendant be imprisoned for the period of

THIS IS THEREFORE TO COMMAND YOU, to whom this warrant is addressed, to convey the defendant to HM Prison [Young Offenders Centre] at [in accordance with Part IV of the Young Offenders Centre Rules (Northern Ireland) 1982], and this is also to command you, the Governor of the said prison [young offenders centre] to receive the defendant into the said Prison [Young Offenders Centre] and to imprison [detain] him there for the period of unless the said sum and costs [and the sum of £, being the reasonable expenses attending the distress] [and warrant fee] be sooner paid and satisfied. All sums received to be paid to the clerk of the petty sessions at

And for this the present warrant shall be a sufficient authority to all whom it may concern.

Arrears due	..	..	..	£
Costs due	..	..	..	£
Warrant fee	..	..	..	£
Total	..	..	..	£

This day of 19 .

Resident Magistrate  
[Clerk of Petty Sessions]

To the Superintendent of the Royal Ulster Constabulary at

WITNESSES AND EVIDENCE

FORM 85MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Summons to Witness



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

(Article 118(1); Rule 8)

of

Complainant  
[Plaintiff]  
[Appellant]  
[Applicant]

Petty Sessions District of

of

Defendant  
[Respondent]

County Court Division of

---

WHEREAS a [complaint has been made] [process has been issued by the plaintiff claiming] that the defendant [or a Notice of [Appeal] [Application] to a magistrates' court has been duly served]

AND WHEREAS I am satisfied that you are able to give material evidence on behalf of the *and/or* produce a document or thing; namely:—

THIS IS TO COMMAND YOU to appear as witness before a magistrates' court at (place) on (date) at (time) [and there produce the said document or thing].

This day of 19 .

Justice of the Peace  
[Clerk of Petty Sessions]

To:—  
of

NOTE: Failure to appear at the time and place shown above is a criminal offence for which you are liable to prosecution.

FORM 86MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Certificate of Collecting Officer of Non-Payment of Sums Ordered to be Paid

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

(Article 123(a))

I HEREBY CERTIFY that the payments due to me on behalf of  
from  
under an order made by the magistrates' court sitting at (place)  
on (date)  
under the

(state statutory provisions)

have not been made to me in full, and that there is now in arrear the sum of  
£ in respect of periodical [lump sum] payment due up to and  
including the day of 19 .

This day of 19 .

Collecting Officer

FORM 87

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rule 149)

CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT  
(NORTHERN IRELAND) 1968  
(Section 1)

**Statement of Witness to be Tendered in Evidence under section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968**

Name of Witness

Age (if over 21 say "over 21")

Occupation

Address

I HEREBY DECLARE that this statement consisting of \_\_\_\_\_ pages each signed by me is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence at the trial of any person, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Signature of Witness.

**[(For use only where witness cannot read)**

The said witness being unable to read the above statement, I \_\_\_\_\_ of \_\_\_\_\_ read it to him before he signed it and he assented to it in accordance with section 1(4)(b) of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_ .

Reader.]

NOTE: Whenever possible statements should be on paper of A4 size. If statements are typed double spacing should be used; a space should be left at the top of the first page for headings to be entered by the clerk of petty sessions; and each page should have a wide margin on the left.

FORM 88

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Rule 149)

CRIMINAL JUSTICE (MISCELLANEOUS PROVISIONS) ACT  
(NORTHERN IRELAND) 1968  
(Section 1)

**Notice by Complainant of Intention to Tender Written Statement at  
Summary Trial**

[Title as in Form 1]

The purpose of this notice is to inform you that the complainant intends at the sitting of the magistrates' court at (place) on (date) and on the hearing of any appeal to the Recorder's/County Court from the said magistrates' court to tender written statement(s) of the following witness(es), namely:—

to which this notice is appended [together with the following copy/copies of documentary exhibit(s) —

(here list any documentary exhibits)

referred to in the statement(s) of the witness(es)]

The following is a list of exhibits (other than the documentary exhibits referred to above) which will be produced or are referred to in the written statement(s) of the witness(es), namely—

Any of the exhibits referred to in this notice may be inspected by you at between the hours of and

You have the right to inspect every exhibit by yourself or in consultation with your solicitor and any expert witness you may wish to call at the hearing before the Court.

You have the right to object to the written statements of the witness(es) being tendered in evidence at the hearing and, if you do so, you should give notice of your objection to the complainant and to the clerk of petty sessions within seven days of receiving this notice and the written statements attached hereto in order to avoid any adjournment of the court and so that the complainant can secure the attendance of the witness(es) at the time of the hearing.

This day of 19 .

Complainant  
[for Complainant]

To (name of Defendant)

at (address)

and to the Clerk of Petty Sessions

at

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

**RECOGNIZANCES AND FORMS USED IN CONNECTION THEREWITH  
FORM 89MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Recognizance to Appear before a Magistrates' Court****

(Articles 47 and 135 to 138; Rules 150 to 153)

[Title as in Form 1]

WHEREAS a complaint was made as set out at Order Book number:

The undersigned (name)

of the principal party to this  
recognizance, hereby binds himself to perform the following obligation, viz:  
to appear personally before a magistrates' court at (place)  
on (date)  
at (time) (and to appear personally at every time and place to  
which, during the course of proceedings, the hearing of the said complaint  
may from time to time be adjourned and not to depart the court without  
leave).

[And upon condition that he report to the Royal Ulster Constabulary  
at (place) each (day)  
at (time) .]

And the said principal party (together with (name)  
of

and (name)  
of  
hereby acknowledges himself bound to forfeit to the Crown the sum of £  
(and the said surety) in the sum of £ (each)) in case the said  
principal party fails to perform the above obligation.

(and in lieu of surety the said principal party hereby deposits the sum of £  
or other valuable security to the value of that sum as security for the  
performance of the said obligation).

.....	} Principal Party
.....	
.....	
	} Suret .

Taken before me this	day of	Taken before me this	day of
19	.	19	.
(as to said Principal Party)		(as to said Principal Party)	
(as to said Surety)		(as to said Surety)	

.....	.....
Governor/Deputy Governor of Prison	Clerk of Petty Sessions

**FORM 90MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Recognizance [Constabulary] to appear before a Magistrates' Court****

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

(Articles 130(1)(a) and 135 to 138; Rule 152)

[Title as in Form 1]

WHEREAS the undersigned principal party to this recognizance was taken into custody by on the day of 19, and [after being charged with released from custody at constabulary station upon his entering into this recognizance, the undersigned (name) of the principal party to this recognizance hereby binds himself to perform the following obligation, viz., to appear [personally] before a magistrates' court at (place) on (date) at (time) [and to appear [personally] at every time and place to which during the course of proceedings the hearing [of the said charge] may from time to time be adjourned and not to depart the court without leave].

And the said principal party [together with (name) of and (name) of the undersigned suret ] hereby acknowledge(s) bound to forfeit to the Crown the sum(s) following, viz:—

The said principal party the sum of £ [the first-named surety the sum of £ and the second-named surety the sum of £ ] in case the said principal party fails to perform the above obligation.

..... } Principal Party
..... } Suret
..... }

Taken before me this day of 19, at

[Rank]
R.U.C. in charge of the said
Constabulary Station

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

(Articles 130(1)(b) and 135 to 138; Rule 152)

*[Title as in Form 1]*

WHEREAS the undersigned principal party to this recognizance was taken into custody by \_\_\_\_\_ on (date) \_\_\_\_\_, and whereas inquiries into certain matters concerning the said principal party cannot be completed forthwith and he has been released from custody at \_\_\_\_\_ constabulary station, upon his entering into this recognizance, the undersigned (name) \_\_\_\_\_ of \_\_\_\_\_ the principal party to this recognizance hereby binds himself to perform the following obligation, viz., to attend at \_\_\_\_\_ constabulary station on (date) \_\_\_\_\_ at (time) \_\_\_\_\_ unless he previously receives notice in writing from a member of the Royal Ulster Constabulary not below the rank of Inspector that his attendance is not required:

And the said principal party [together with (name) \_\_\_\_\_ of \_\_\_\_\_ and (name) \_\_\_\_\_ of \_\_\_\_\_] the undersigned suret \_\_\_\_\_ ] hereby acknowledge(s) \_\_\_\_\_ bound to forfeit to the Crown the sum(s) following, viz:—

The said principal party the sum of £ \_\_\_\_\_ [the first-named surety the sum of £ \_\_\_\_\_ and the second-named surety the sum of £ \_\_\_\_\_] in case the said principal party fails to perform the above obligation.

..... } Principal Party  
..... } Suret .  
..... }

Taken before me this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, at \_\_\_\_\_

[Rank]  
R.U.C. in charge of the said  
Constabulary Station

FORM 92MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 **Recognizance to Appear at the Crown Court**

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

(Articles 37, 51(4) and 135 to 138; Rules 150 and 153)

[Title as in Form 1]

WHEREAS the defendant stands charged [that] [for as stated in the statement of complaint annexed]

[WHEREAS the defendant was on the day of 19, discharged from HM Prison [Young Offenders Centre] at and was on that date serving a sentence of imprisonment [period of detention in a Young Offenders Centre] which but for his discharge pursuant to prison rules would have expired on the day of 19 ] the undersigned (name) of the principal party to this recognizance, hereby binds himself to perform the following obligation(s) viz., to attend the Crown Court at (place) on such day as may be notified to him at (time) [and there to surrender himself to the governor of the prison at and plead to any indictment presented against him for the said offence, and take his trial for the same, and not to depart the court without leave and so from court to court which the trial may be adjourned until this recognizance shall be discharged by the court.]

[And, in addition, to undergo medical examination by and for that purpose [attend at] [reside at] [from] [upon] (date) at (time) [when arrangements have been made for his reception until he is discharged therefrom]:

And the said principal party [together with (name) of and (name) of the undersigned suret ] hereby acknowledge(s) bound to forfeit to the Crown the sum(s) following, viz:—

The principal party the sum of £ [the first-named surety the sum of £ and the second-named surety the sum of £ ] in case the said principal party fails to perform the above obligation.

..... } Principal Party
..... } Suret
..... }

Taken before me this day of 19, at

Resident Magistrate
[Justice of the Peace]
[Clerk of Petty Sessions]
[Governor/Deputy Governor].

FORM 93MAGISTRATES' COURTS (NORTHERN IRELAND) QRDER 1981Recognizance to keep the Peace [and] [or] to be of Good Behaviour



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

(Article 127; Rule 152)

[Title as in Form I]

WHEREAS a complaint was made that

AND IT WAS ORDERED by the magistrates' court at that the said defendant should be bound by recognizance [to keep the peace] [and] [be of good behaviour] for the period of .

The undersigned (name) of

, the principal party to this recognizance, hereby binds himself to perform the following obligation, viz., [to keep the peace] [and] [to be of good behaviour] for the period of and the said principal party [together with (name) of

, and (name) of

hereby acknowledge(s) the undersigned suret ] bound to forfeit to the Crown the sum(s) following, viz:—

The principal party the sum of £ [the first-named surety the sum of £ and the second-named surety the sum of £ ] in case the said principal party fails to perform the above obligation.

..... } Principal Party  
..... } Suret .  
..... }

Taken before me this day of 19 .

Clerk of Petty Sessions

FORM 94MAGISTRATES COURTS (NORTHERN IRELAND) ORDER 1981Certificate of Proposed Surety as to Means



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

**FORM 96MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Warrant of Distress and Commitment in Default of Distress for Sum Forfeited upon the Estreat of a Recognizance**

(Article 138(4): Rules 14, 143 and 144)

*[Title as in Form 1]*

WHEREAS on (date) (name) entered into a recognizance in the sum of £ conditioned that

AND WHEREAS on (date) upon an application to a magistrates' court for the said district to estreat the recognizance, the court ordered the estreat of the recognizance to the amount of £ and payment of £ for costs in

AND WHEREAS default has been made in payment of [the amount] [a balance of £ ] and the said court ordered the said amount to be levied by distress and in default of distress the defendant be imprisoned [detained] in HM Prison [Young Offenders Centre] at for the period of unless the said amount be sooner paid.

THIS IS TO COMMAND YOU, to whom this warrant is addressed, forthwith to make distress of the money and goods of the defendant and if the said amount, together with the reasonable expenses of making and keeping the said distress, be not paid, then not earlier than the [third] day after the making of such distress to sell or cause to be sold the said goods, by auction or otherwise, as the may in writing allow, and pay the proceeds of the said distress to the clerk of petty sessions for the above-named petty sessions district and if no such distress can be found the defendant is to be imprisoned [detained] in HM Prison [Young Offenders Centre] at [in accordance with Part IV of the Young Offenders Centre Rules (Northern Ireland) 1982] for the period of

And for this the present warrant shall be a sufficient authority to all whom it may concern. The warrant to be returned within a reasonable time if not executed.

Amount	..	..	..	£:	
Warrant Fee	..	..	..	£:	
Total	..	..	..	£:	_____
Part Payment	..	..	..	£:	_____
Balance due	..	..	..	£:	_____

This day of 19 .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

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

APPEALS TO COUNTY COURT AND BY WAY OF CASE STATED TO COURT OF APPEAL

A. Appeals to County Court

FORM 97MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Notice of Appeal to the County Court

(Article 144; Rule 154)

[Title as in Form 1]

TAKE NOTICE that I, the defendant [complainant] intend to appeal to county court sitting at (place) on (date) against the convictions [sentences] [orders] made [passed] by magistrates' court on (date)

My appeal(s) is/are in respect of offence(s) briefly described:

Four horizontal lines for describing the appeal(s).

Signed \_\_\_\_\_ Party Appealing [Solicitor or Agent for Party Appealing]

\_\_\_\_\_ Address of Party Appealing [Solicitor or Agent for Party Appealing]

This day of 19 .

To: of (address) and to The Clerk of Petty Sessions for the above-named Petty Sessions District.

Served (date) by (insert manner of service)

FORM 98MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Form of Appeal to County Court

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

(Rules 154, 155 and 156)

[Title as in Form 1]

I CERTIFY that upon the hearing of [a complaint that] [a process claiming]  
[an application for] [an appeal against]

(state cause of complaint, nature of process, grounds of application or appeal)

AN ORDER WAS MADE on (date) , by  
a magistrates' court of the above district against the said  
to the following effect, viz:—

This day of 19 .

Clerk of Petty Sessions

I CERTIFY notice of appeal lodged and recognizance entered into.

This day of 19 .

Clerk of Petty Sessions

I CERTIFY that upon the hearing of the said appeal on the day  
of 19 , the county court ordered that

This day of 19 .

Chief Clerk

**FORM 99MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981 Recognizance to  
Prosecute Appeal to County Court [Not] Conditioned for Bail**

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

(Articles 135 to 138 and 148; Rules 150 to 153)

[Title as in Form 1]

WHEREAS a complaint was made that

The undersigned (name)  
of

the principal party to this recognizance, hereby binds himself to perform the following obligation, viz:—To attend the sitting of the county court to be held at (place) on (date) at (time) or upon such other day as may be notified to him and there TO PROSECUTE THE APPEAL against the [conviction] [and] [sentence] [order] made [passed] by a magistrates' court for the above petty sessions district on the day of 19 , upon the said complaint and TO ABIDE BY THE JUDGMENT and order of the said county court thereon and TO PAY SUCH COSTS awarded by the said court [AND NOT TO ABSCOND pending the execution of the original order or of the judgment of the said county court AND NOT TO DEPART THE COURT WITHOUT LEAVE and so from court to court until this recognizance shall be discharged by the court.]

And the said principal party [together with (name)  
of  
and (name) of

the undersigned suret ] hereby acknowledge(s)  
bound to forfeit to the Crown the sum(s) following, viz:—

The said principal party the sum of £ [the first-named surety the sum of £ and the second-named surety the sum of £ ] in case the said principal party fails to perform the above obligation.

..... } Principal Party  
..... } Suret  
..... }

Taken before me this day of 19 .

Resident Magistrate  
[Justice of the Peace]  
[Clerk of Petty Sessions]  
[Governor/Deputy Governor]

FORM 100MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice by Clerk of Petty Sessions to Chief Clerk of Abandonment of Appeal to the County Court

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

(Article 150(1))

Petty Sessions District of  
County Court Division of  
Between.

Appellant

and

Respondent

THIS IS TO GIVE YOU NOTICE that I have received from the above-named Appellant notice that he has abandoned his appeal to the county court against a [conviction] [and] [sentence] [order] made [passed] by the magistrates' court for the above-named petty sessions district sitting on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ .

Clerk of Petty Sessions

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ .

To the Chief Clerk  
at  
Copy to the Respondent  
of

**B. Appeals by way of Case Stated to Court of Appeal**

FORM 101MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Application to Court to State a Case

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

(Article 146; Rule 158)

To \_\_\_\_\_, resident magistrate  
who sat as a magistrates' court for the petty sessions district of \_\_\_\_\_  
on the \_\_\_\_\_ day  
of \_\_\_\_\_ 19 \_\_\_\_.

In the matter of a [complaint] [process] [application] [appeal] wherein [I  
the undersigned]  
was [complainant] [plaintiff] [applicant] [appellant] [or I the under-  
signed] was [defendant]  
[respondent] heard and determined by the said magistrates' court sitting  
at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Being dissatisfied with the decision of the court on a point of law involved  
in the determination of the said court as being wrong in law, I hereby,  
pursuant to Article 146 of the Order make application to you to state a case for the  
opinion of the Court of Appeal on the following point of law:—

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Appellant  
[ Solicitor for Appellant].  
Address of Appellant  
[Address of Solicitor for Appellant]

Copy to be served on the Respondent  
of \_\_\_\_\_

FORM 102MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Court's  
Certificate of Refusal to State a Case

(Article 146(4))

Petty Sessions District of \_\_\_\_\_  
County Court Division of \_\_\_\_\_

Before the magistrates' court sitting at \_\_\_\_\_

WHEREAS on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_,  
a certain decision upon a point of law in a proceeding before the court was  
made by me the undersigned [resident magistrate] [justice of the peace].

AND WHEREAS \_\_\_\_\_ being dissatisfied  
with the said decision as being wrong in law has applied to me pursuant to  
Article 146 of the Order to state a case for the opinion of the Court of Appeal thereon.

Now I, being of the opinion that the application of the said  
is frivolous, hereby certify that such application is refused.

This \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Resident Magistrate

FORM 103MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Case Stated by  
Magistrates' Court







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

(Articles 135 to 138 and 148; Rules 150 to 153)

[Title as in Form 1]

WHEREAS a complaint was made that

The undersigned (name) of the principal party to this recognizance, hereby binds himself to perform the following obligation, viz:—To PROSECUTE HIS APPEAL by way of case stated against the [conviction] [order] made by a magistrates' court made on (date), upon the said complaint and TO ABIDE BY THE JUDGMENT OR ORDER of the Court of Appeal thereon and TO PAY COSTS as may be awarded by the said Court and except where sooner committed under a warrant of commitment issued consequent upon the affirmation of a sentence of imprisonment, [TO APPEAR before the magistrates' court within [ten] days after the judgment or order of the Court of Appeal has been given if and when he is so directed by that Court.]

And the said principal party [together with (name) of and (name) of the undersigned sureties] hereby acknowledge bound to forfeit to the Crown the sum(s) following, viz:—

The said principal party the sum of £ [the first-named surety the sum of £ and the second-named surety the sum of £ ] in case the said principal party fails to perform the above obligation.

..... } Principal Party  
..... } Suret .  
..... }

Taken before me this day of 19 .

Resident Magistrate  
[Justice of the Peace]  
[Clerk of Petty Sessions]  
[Governor/Deputy Governor].

**FORM 105MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice to Respondent that Appellant has Abandoned an Appeal by way of Case Stated**

(Article 150(2))

To of respondent in an appeal by way of case stated from a determination of a magistrates' court sitting at (place) made on (date) by appellant.

THIS IS TO GIVE YOU NOTICE that I have received notice from the said appellant that he has abandoned his appeal.

This day of 19 .

Clerk of Petty Sessions

MISCELLANEOUS

**FORM 106MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Certificate of Conviction or Order**

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

(Rule 20)

*[Title as in Form 1]*

I CERTIFY that upon the hearing of a complaint that  
[a conviction] [an order] was made on (date)  
by the magistrates' court for the said district to the following effect, viz:—  
This day of 19 .

Clerk of Petty Sessions

**FORM 107MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981General Form for Enforcement of Conviction or Order**

(Part IX)

*[Title as in Form 1]*

WHEREAS upon the hearing of a complaint that  
an order was made on (date)  
by a magistrates' court against the said defendant  
to the following effect, viz:—

AND WHEREAS the said order has not been complied with:

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to execute the  
said order against the said defendant  
as follows:

And for this the present warrant shall be a sufficient authority to all whom it may  
concern.

The sum levied to be paid to the clerk of petty sessions at

This warrant is to be returned within a reasonable time if not executed.

This day of 19 .

Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

**FORM 108MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Affidavit of Service of Summons on Defendant**

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

(Articles 23(2), 25(3), 81(2) and 126; Rule 11)

[Title as in Form 1]

I, \_\_\_\_\_ of \_\_\_\_\_, a person entitled to serve summonses **MAKE OATH AND SAY** that I did serve the summons in this matter on the above-named defendant at the time and place and in the manner endorsed by me on the original summons [and accompanying documents.]

Deponent \_\_\_\_\_ Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ in the County Court Division of \_\_\_\_\_

Justice of the Peace.  
[Clerk of Petty Sessions]

**FORM 109MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Affidavit of Service of Summons for Offence where Summons Served in England and Wales or Scotland**

(Articles 23(2), 25(3) and 126; Rule 12)

[Title as in Form 1]

I, \_\_\_\_\_ [(rank), a member of the \_\_\_\_\_ Constabulary] or [a person authorised by the chief officer of police to serve summonses] make oath and say that I did serve the summons in this matter on the above-named defendant at the time and place and in the manner endorsed by me on the original summons.

Deponent \_\_\_\_\_ Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ in the County of \_\_\_\_\_

Justice of the Peace  
[Clerk to the Justices]  
[Sheriff]  
[Sheriff Clerk]

**FORM 110MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Affidavit of Service of Summons on Witness**

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

(Articles 118(3) and 126; Rule 11)

*[Title as in Form 1]*

I, \_\_\_\_\_ of \_\_\_\_\_, a person entitled to serve summonses MAKE OATH AND SAY that I did serve a witness summons in this matter on the person(s) whose name(s) appear(s) at the foot hereof at the time and place and in the manner endorsed by me on the original summons.

Deponent. Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ in the County \_\_\_\_\_ Court Division of \_\_\_\_\_

Justice of the Peace.  
[Clerk of Petty Sessions]

Name(s) and Address(es)  
of Witness(es).

**FORM 111MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Affidavit of Service of a Process by a Summons Server or a Person who has Received Permission to Serve the Process**

(Article 126; Rules 58, 59 and 63)

*[Title as in Form 1]*

I, \_\_\_\_\_ of \_\_\_\_\_ a person entitled to serve processes, SAY ON OATH that I did serve the process in this matter on the above-named defendant at the time and place in the manner endorsed by me on the original process.

Deponent. Sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at \_\_\_\_\_ in the County \_\_\_\_\_ Court Division of \_\_\_\_\_

Justice of the Peace.  
[Clerk of Petty Sessions]

**FORM 112MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER) 1981Receipt for Prisoner**

(Rule 143(4))

H.M. Prison at \_\_\_\_\_

I HEREBY CERTIFY that I have received from \_\_\_\_\_ of \_\_\_\_\_ the prisoner \_\_\_\_\_ together with a warrant of commitment under the hand of \_\_\_\_\_ resident magistrate [justice of the peace] [clerk of petty sessions] at the time he was delivered into my custody.

This \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Governor  
[Deputy Governor]

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

**FORM 113MAGISTRATES'COURTS (NORTHERN IRELAND) ORDER 1981Order for taking Finger-prints and Palm-prints**

(Article 61)

*[Title as in Form 1]*

WHEREAS (hereinafter called "the defendant")  
[having on the (date) been taken into custody] [has appeared before the  
magistrates' court sitting at (place) upon (date) ]  
charged that

(state shortly particulars of offence).

And application being made to me by (insert name and rank) of  
the Royal Ulster Constabulary.

IT IS ORDERED that the finger-prints and palm-prints of the defendant be taken by  
a constable.

Dated this. day of 19 .

Resident Magistrate  
[Justice of the Peace]

FORM 114

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

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981  
(Article 158; Rule 14)

Summary Jurisdiction (Miscellaneous Provisions) Act (Northern Ireland) 1946  
(Section 1)

JUDGMENTS ENFORCEMENT (NORTHERN IRELAND) ORDER 1981

**Warrant directing person apparently entitled thereto to be put into Possession of Premises**

[Title as in Form I]

WHEREAS upon the hearing of a complaint made under section 1(1)(a) of the Summary Jurisdiction (Miscellaneous Provisions) Act (Northern Ireland) 1946 that the defendant on (date) with intent wrongfully to take possession of, or use, the premises at belonging to wilfully entered upon such premises, a magistrates' court for the said district on (date) convicted the defendant of an offence under the said section;

AN ORDER WAS MADE by the court directing that the complainant being the person appearing to the court to be lawfully entitled to possession of the said premises be put into possession thereof.

THIS IS THEREFORE TO DIRECT YOU to execute the said order accordingly and to remove the defendant and his goods therefrom and to put the said complainant into possession of the said premises forthwith.

Dated this day of 19 .

Resident Magistrate  
[Clerk of Petty Sessions]

To the Chief Enforcement Officer,  
The Enforcement of Judgments Office,  
[Branch Office at ]

FORM 115MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981General Form of Affidavit of Service of Notice, etc.



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

(Article 126; Rule 148)

*[Title as in Form 1]*

I (full names and rank or description where applicable) of , a person entitled to serve a notice or state other document served under (state statutory provision authorising service) MAKE OATH AND SAY that I did serve the notice [or state other document] dated on the person(s) whose name(s) appear(s) at the foot hereof at the time and place and in the manner endorsed by me on the notice or other document.

Deponent. Sworn before me this day of 19 , at in the County Court Division of

Justice of the Peace  
[Commissioner for Oaths].  
[Clerk of Petty Sessions].

Name(s) and address(es) of person(s) on whom notice served.

**FORM 116MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Warrant of Commitment on Remand in Hospital**

(Article 47; Rules 14, 143 and 163)

*[Title as in Form 1]*

WHEREAS the defendant appeared this day before a magistrates' court upon a complaint that

AND WHEREAS the hearing of the said complaint has been adjourned to (place) on (date) at (time).

THIS IS TO COMMAND YOU, to whom this warrant is addressed, to place the defendant in the custody of the Governor of H.M. Prison [Young Offenders Centre] at and under the control of a prison officer at Hospital, there to be kept in custody until he can be conveyed to the said prison [Young Offenders Centre] and produced at the above place or further remanded in accordance with Article 49 of the Order.

And for this the present warrant shall be a sufficient authority to all whom it may concern.

This day of 19 .  
Clerk of Petty Sessions

To the Superintendent of the Royal Ulster Constabulary at

NOTE: This warrant may be endorsed for bail as on Form 11.

**FORM 117MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Certificate by or on behalf of Complainant that Summons Sent by Registered Post or Recorded Delivery Service and Returned as Undelivered will, if Delivered by Ordinary Post, come to Notice of Person to be Served**

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

(Rule 13(8)(e))

I  
of  
HEREBY CERTIFY that, having regard to the reason given by the Post Office for the non-delivery of the envelope containing the copy summons attached hereto, dated addressed to the defendant [or witness] stated in the form of advice (also attached) for the following reason, namely—

to the best of my knowledge and belief a copy of the summons if sent by ordinary post to the address of the defendant [or witness] stated in the summons will come to his notice a reasonable time before (date) being the date on which he is summoned to appear before the court.

Complainant  
[On behalf of Complainant]

Date

FORM 118MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981MAGISTRATES' COURTS RULES 1983Statement of Dates on which Defendant Remanded

(Rules 28(2)(1) and 42(1)(o))

[Title as in Form 1]

DEFENDANT first appeared at (place)  
on (date) and was remanded [in custody] [on bail] to (date)  
and was further remanded as set out below:

Date of remand	Date remanded to	In custody on bail	Remarks

Clerk of Petty Sessions

To:

The Chief Clerk  
Crown Court

FORM 119MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Notice of Direction made by Court of Appeal

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

(Article 152)

*[Title as in Form 85]*

WHEREAS upon the hearing of a [complaint] [process] [an application] [an appeal] (here set out complaint or as the case may be)

a magistrates' court sitting at (place) on the (date)  
made the following order:—  
(here set out order)

AND WHEREAS the said [complainant] [plaintiff] [applicant] [appellant] [defendant] [respondent] appealed to the Court of Appeal by way of case stated:

AND WHEREAS the Court of Appeal having heard the said appeal directed that:

TAKE NOTICE that a magistrates' court sitting at will  
proceed in accordance with such direction and that you are hereby notified to attend  
thereat on (date) at (time)

Dated this day of 19 .

Clerk of Petty Sessions

To the above-named  
and

**FORM 120MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981Application  
Requesting that Warrant of Commitment be Cancelled**

(Article 113)

*[Title as in Form 1]*

I, hereby request that the warrant of  
commitment under which I am for the time being [imprisoned] [detained] be  
cancelled.

The grounds of my request are as follows:—

Dated this day of 19 .

Defendant.