

1985 No. 347

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Election Petition (Amendment) Rules 1985

Made 9th December 1985

Coming into operation 6th January 1986

To be laid before Parliament

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 55 of the Judicature (Northern Ireland) Act 1978(a) to make rules for the purpose of Part III of the Representation of the People Act 1983(b), hereby, with the concurrence of the Lord Chancellor, exercise those powers as follows:

Citation, interpretation and commencement

1. These Rules may be cited as the Election Petition (Amendment) Rules 1985 and shall come into operation on 6th January 1986.

Amendment of principal Rules

2. The Election Petition Rules 1964(c) ("the principal Rules") shall be amended as follows:—

(1) For paragraph (2) of rule 2 the following paragraph shall be substituted:—

"(2) In these rules, unless the context otherwise requires—

"the Act" means the Representation of the People Act 1983;

"the court" means the election court, constituted in accordance with section 123(1)(b) of the Act;

"Clerk of the Crown" means the Clerk of Crown for Northern Ireland;

"Divisional Court" means a court of the Queen's Bench Division of the High Court consisting of two or more judges;

"Director of Public Prosecutions" means the Director of Public Prosecutions for Northern Ireland;

"election petitions office" means the Central Office at the Royal Courts of Justice, Belfast;

"prescribed officer" has the meaning ascribed by section 157(4) and (8) of the Act."

(2) For rule 4 of the principal Rules there shall be substituted the following rule:—

"Security for costs

4. Within three days after the presentation of the petition, the petitioner shall apply ex parte by summons to the prescribed officer to fix the amount of security for costs which he is to give pursuant to section 136 of the Act."

(a) 1978 c. 23

(b) 1983 c. 2, as amended by the Representation of the People Act 1985 (c. 50)

(c) S.R. & O. (N.I.) 1964 No. 28

(3) The heading to rule 5 of the principal Rules shall be omitted and the following rule shall be inserted after rule 5:—

“Notice of presentation of petition

5A.—(1) Within five days after giving the security the petitioner shall serve on the respondent within the meaning of section 121(2) of the Act and on the Director of Public Prosecutions a notice of the presentation of the petition and of the nature and amount of the security which he has given, together with a copy of the petition.

(2) Service shall be effected—

- (a) on the respondent, by delivering the notice and a copy of the petition to the respondent personally; and
- (b) on the Director of Public Prosecutions, in the same manner as a writ of summons is served;

and an affidavit of service shall be filed as soon as practicable after service.”

(4) The rules of the principal Rules cited in the first column of the Schedule hereto shall be amended by omitting the words in the second column and substituting the words in the third column.

Dated 2nd December 1985.

*Lowry
John MacDermott
Donald Murray
Hugh P. Kennedy
W. A. Campbell*

I concur

Hailsham of St. Marylebone, C.

Dated 9th December 1985.

SCHEDULE

<i>Rule</i>	<i>Words to be omitted</i>	<i>Words to be substituted</i>
rule 2(1)	“1889”	“1978”
rule 3(1)	“section 108(1)” “section 109”	“section 121(1)” “section 122”
rule 5	“section 119”	“section 136”
rule 6(1)	“section 119(4)” “five days” “rule 4”	“section 136(4)” “fourteen days” “rule 5A”
rule 7	“section 121(1)”	“section 138(1)”
rule 8(2)(c)	“Attorney General”	“Director of Public Prosecutions”
rule 8(2)(d)	“under sheriff of the county or county borough”	“returning officer for the constituency”
rule 8(3)	“The under sheriff should forth- with publish the notice in his county or borough, as the case may be”	“The returning officer shall forth- with publish the notice in the constituency”
rule 9(1) and (2)	“Attorney General”	“Director of Public Prosecutions”
rule 9(2)	“section 122(5)”	“section 139(5)”
rule 10	“section 123(2)”	“section 140(2)”
rule 11	The whole rule and heading	—
rule 12(2)	“section 123(2)”	“section 140(2)”
rule 13(1)	“section 126(1)”	“section 146(1)”
rule 13(2)	“Attorney General”	“Director of Public Prosecutions”
rule 14(2)(a)	“Attorney General”	“Director of Public Prosecutions”
rule 15(2)	“Attorney General”	“Director of Public Prosecutions”
rule 17	“Attorney General”	“Director of Public Prosecutions”
rule 18(1)	“section 134(1)”	“section 153(1)”
rule 22(1)(b)	“section 162”	“section 184”
rule 23	“section 135(2)”	“section 155”
rule 24	“section 135(2)”	“section 155”
rule 26	“section 135(2)”	“section 155(1)”
rule 27	“Order LXIV of the Rules of the Supreme Court”	“Order 3 of the Rules of the Supreme Court (Northern Ireland) 1980”
Schedule A	“1949” “section (109)(2) or (3)” “Attorney General”	“1983” “section 122(2) or (3)” “Director of Public Prosecutions”
Schedule C	The whole Schedule	—

EXPLANATORY NOTE

(This note is not part of the Rules.)

These rules amend the Election Petition Rules 1964, which make provision for election petitions questioning an election to the Parliament of the United Kingdom.

They give effect to amendments to the law made by the Representation of the People Act 1983 and the Representation of the People Act 1985 and correct a number of statutory references.

1985 No. 348

**Medicines (Exemptions from Restrictions on the Retail Sale or Supply of
Veterinary Drugs) Order 1985**

This Order has been made by the Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Scotland and in Wales, the Minister of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland, and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of the powers conferred by sections 57(1), (2), (2A) and 129(4) of the Medicines Act 1968.

In pursuance of paragraph 11 of Schedule 4 to that Act this Order has been registered as a Northern Ireland statutory rule under the Statutory Rules (Northern Ireland) Order 1979. It is printed in full in the volume of United Kingdom Statutory Instruments for 1985 and has been numbered 1823 in that series.