

SCHEDULE 1

Rule 5(b).

“Part VI

Protection from Harassment (Northern Ireland) Order 1997

**Interpretation**

16. In this Part “the Order” means the Protection from Harassment (Northern Ireland) Order 1997(1).

**Division where proceedings may be commenced**

17. Proceedings under Article 5 of the Order shall be commenced—

- (a) in a county for the division in which the plaintiff resides or carries on business; or
- (b) in a court for the division in which the defendant resides or carries on business.

**Warrants of arrest**

18. An application for the issue of a warrant for the arrest of the defendant under Article 5(3) of the Order shall—

- (a) state that it is an application for the issue of a warrant for the arrest of the defendant;
- (b) set out the grounds for making the application and be supported by an affidavit or evidence on oath;
- (c) state whether the plaintiff has informed the police of the defendant’s conduct on which the application is grounded; and
- (d) state whether, to the plaintiff’s knowledge, criminal proceedings are being pursued.

**Form of warrant**

19. A Warrant of Arrest issued in accordance with Article 5(3) of the Order shall be in Form 265A.

**Proceedings**

20. The court before whom a person is brought following his arrest may—

- (a) determine whether the facts and the circumstances which led to the arrest amounted to disobedience of the injunction, or
- (b) adjourn the proceedings and, where such an order is made, the arrested person shall be released and—
  - (i) may be dealt with within 14 days of the day on which he was arrested; and
  - (ii) be given not less than 2 days' notice of the adjourned hearing.

---

(1) S.I.1997/1180 (N.I. 9)

**Status:** *This is the original version (as it was originally made).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

## **Saving**

21. This Part shall apply to injunctions granted on or after the date of the commencement of this Part and injunctions granted before that date shall be treated as if this Part had not come into operation.”