2009 No. 209

SUPREME COURT, NORTHERN IRELAND

PROCEDURE

The Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2009

 Made
 20th May 2009

 Coming into operation
 30th June 2009

To be laid before Parliament

The Northern Ireland Supreme Court Rules Committee makes the following Rules in exercise of the powers conferred by sections 55 and 55A of the Judicature (Northern Ireland) Act 1978(a).

Citation and commencement

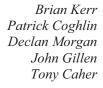
1. These Rules may be cited as the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2009 and shall come into operation on 30th June 2009.

Amendments

2. The Schedule to the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) Rules (Northern Ireland) 2008(**b**) shall be amended by substituting for Form 4, the new Form 4 set out in the Schedule to these Rules.

⁽a) 1978 c.23. to which the most recent relevant amendment was made by paragraphs 29 and 30 of Schedule 5 to the Constitutional Reform Act 2005 (c.4).

⁽b) S.R. 2008 No.23.



Dated 13th May 2009

Signed by the authority of the Lord Chancellor

In exercise of the powers conferred by section 55A (3) of the Judicature (Northern Ireland) Act 1978, I allow these Rules.

Bridget Prentice
Parliamentary Under-Secretary of State
Ministry of Justice

Dated 20th May 2009

SCHEDULE

Rule 2

"Form 4

Rule 9

PART A

DETERMINATION BY A SINGLE JUDGE

(Section 74(8) of the Serious Organised Crime and Police Act 2005)
(Article 31 of the Serious Organised Crime and Police Act 2005 (Appeals under section 74) Order 2006)

Details Required	Notes
1. Details of the applicant:	
Name:	
Address:	In the case of a defendant in custody, the prison number and address of the establishment in which the defendant is detained.
2. Application considered by single judge:	
Application for leave to appeal;	
Application for extension of time for service of notice of application for leave to appeal;	
Application for an order to allow the offender to be present at the proceedings;	
Application for an order that a witness attend for examination;	
Application to the Court to exercise powers conferred by Article 25 (bail);	
Application for an order for the production of documents etc under Article 28(1)(a);	
Application for directions under Article 30(1) (effect of appeal on sentence);	
Application to grant legal aid. (tick where appropriate)	

3. Decision	If an application has been determined by a Judge, an aggrieved party may have the application determined by the Court by filling in Part B of this form and returning the form to the Master.
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Dated this day of 20

Master (High Court)

PART B

APPLICATION FOR DETERMINATION BY THE COURT

To: The Master
Court of Appeal
Royal Courts of Justice
Belfast
BT1 3JF

4	Notice	of ani	lication	for	determina	tion	hy the	Court
7.	TIULLE	ui ani	JIICAUUII	101	uctel IIIIIIa	uvu	DY UIG	Court

The decision(s) that is (are) the subject of this application for the Court to determine are:

Applicants must use this section to ask the Court to determine decisions of a single judge.

The date that this form was delivered to the applicant:

Notice of an application for the Court to determine a decision of a single judge must be served on the Master within 14 days of the date on which notice of the decision was served, unless a longer period has been specified.

Dated this	day of	20 .
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Signed [on behalf of] [Specified Prosecutor][Offender]*

^{*} Delete as appropriate"

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Criminal Appeal (Offenders Assisting Investigations and Prosecutions) (Amendment) Rules (Northern Ireland) 2008 (S.R. 2008 No.23) by substituting Form 4 of the Rules. Part A of the substituted Form prescribes the form of notification of a determination by a single judge, of an application relating to the discounting of sentences of offenders offering assistance to prosecutors. Part B of the Form prescribes the form of application for determination by the Court of Appeal by parties aggrieved by the decision of a single judge.

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