1990 No. 278

COUNTY COURTS

County Court (Amendment No. 3) Rules (Northern Ireland) 1990

Made	*25th July 1990*
Coming into operation . .	*3rd September 1990*

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(**a**), in exercise of the powers conferred on us by Article 47 of that Order and all other powers enabling us in that behalf, hereby make the following rules:—

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Amendment No. 3) Rules (Northern Ireland) 1990.

(2) In these Rules a reference to an Order, Rule or Appendix is a reference to that Order, Rule or Appendix as numbered in the County Court Rules (Northern Ireland) 1981(**b**).

Payment into court

2.—(1) Order 21 shall be amended at Rule 2 by inserting the following new paragraph (1A) after paragraph (1)—

"(1A) Where a defendant has withheld an amount from a payment into court in accordance with Article 24 of and paragraph 12(2)(*a*)(i) of Schedule 4 to the Social Security (Northern Ireland) Order 1989, the notice he gives under paragraph (2) of this rule must include the certificate of such deduction referred to in paragraph 12(3)(*a*) of the said Schedule.".

(2) In Form 97 of Appendix 1 the following paragraph shall be inserted after the words "or by the Judge on appeal"—

"[AND (where appropriate)]

The defendant hereby certifies that he has withheld from this payment into court the sum of £ in accordance with Article 24 of and paragraph 12(2)(*a*)(i) of Schedule 4 to the Social Security (Northern Ireland) Order 1989.".

(a) S.I. 1980/397 (N.I. 3)
(b) S.R. 1981 No. 225

We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

John K. Pringle
John J. Curran
Brian F. Walker
Barry Valentine
Ken Nixon
S. D. Massey

Dated 5th July.

After consultation with the Lord Chief Justice, I allow these rules which shall come into operation on 3rd September 1990.

Dated 25th July 1990 *Mackay of Clashfern*, C.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These rules amend the County Court Rules (Northern Ireland) 1981 to take account of Article 24 of, and Schedule 4 to, the Social Security (Northern Ireland) Order 1989, which provide for the recovery by the Department of Health and Social Services of social security benefits paid to a plaintiff due to an accident, injury or disease for which compensation is payable.