STATUTORY RULES OF NORTHERN IRELAND

2008 No. 154

JUDICIARY

The District Judge (Magistrates' Courts) Order (Northern Ireland) 2008

Made - - - -	*31st March 2008*
Coming into operation -	*2nd June 2008*
To be laid before Parliament	

The Lord Chancellor, in exercise of the powers conferred by section 102(1), (2) and (5) of the Courts Act 2003(**a**), and with the concurrence of the Lord Chief Justice, makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the District Judge (Magistrates' Courts) Order (Northern Ireland) 2008 and shall come into operation on 2nd June 2008.

(2) The Interpretation Act (Northern Ireland) 1954(**b**) shall apply to this Order as it applies to an Act of the Assembly.

District Judge (Magistrates' Courts)

2.—(1) The office of Presiding resident magistrate is renamed Presiding district judge (magistrates' courts) in Northern Ireland.

(2) The office of resident magistrate is renamed district judge (magistrates' courts) in Northern Ireland.

(3) The office of deputy resident magistrate is renamed deputy district judge (magistrates' courts) in Northern Ireland.

Construction of Enactments

3.—(1) Reference in any statutory provision, statutory document or other document to a Presiding resident magistrate, resident magistrate or deputy resident magistrate shall be construed as reference to a Presiding district judge (magistrates' courts) in Northern Ireland, district judge (magistrates' courts) in Northern Ireland or deputy district judge (magistrates' courts) in Northern Ireland respectively.

(2) The Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c.2 (N.I.)) may be cited as the District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960.

(**a**) 2003 (c.39) as amended by section 47 of the Justice and Security (Northern Ireland) Act 2007 (c.6)
(**b**) 1978 (c.23)

(3) References in any statutory provision, statutory document or other document to a district judge or deputy district judge (in Northern Ireland or England and Wales) do not include a district judge (magistrates' courts) in Northern Ireland or deputy district judge (magistrates' courts) in Northern Ireland.

(4) References in any statutory provision, statutory document or other document to a District Judge (Magistrates' Courts) or Deputy District Judge (Magistrates' Courts) in England and Wales do not include a district judge (magistrates' courts) in Northern Ireland or deputy district judge (magistrates' courts) in Northern Ireland.

(5) In relation to Northern Ireland, unless the contrary intention appears "Presiding district judge (magistrates' courts)", "district judge (magistrates' courts)" or "deputy district judge (magistrates' courts)" in any statutory provision, statutory document or other document means respectively a Presiding district judge (magistrates' courts) in Northern Ireland, district judge (magistrates' courts) in Northern Ireland or deputy district judge (magistrates' courts) in Northern Ireland.

Signed by the authority of the Lord Chancellor

David Hanson
Minister of State
Ministry of Justice

Dated 12th March 2008

I concur

Brian Kerr
Lord Chief Justice of Northern Ireland

Dated 31st March 2008

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the office of Presiding resident magistrate, resident magistrate and deputy resident magistrate to be renamed as Presiding district judge (magistrates' courts) in Northern Ireland, district judge (magistrates' courts) in Northern Ireland and deputy district judge (magistrates' courts) in Northern Ireland respectively.

In addition, the Order;

— makes provision for references to Presiding resident magistrate, resident magistrate and deputy resident magistrate in any statutory provision or document to be construed as references to a Presiding district judge (magistrates' courts) in Northern Ireland, district judge (magistrates' courts) in Northern Ireland and deputy district judge (magistrates' courts) in Northern Ireland; and

— provides for the Resident Magistrates' Pensions Act (Northern Ireland) 1960 to be cited as the District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960.

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