1966. No. 35 [NC]

SUPREME COURT, NORTHERN IRELAND PROCEDURE

The Rules of the Supreme Court (Northern Ireland) (No. 2) 1966

We, the Northern Ireland Supreme Court Rules Committee, being the authority having for the time being power under section 7 of the Northern Ireland Act 1962(a) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature of Northern Ireland, hereby exercise those powers and all other powers enabling us in that behalf as follows:—

1. Order LXXXIV of the Rules of the Supreme Court (Northern Ireland) 1936(b), which relates to procedure on the Crown side, shall be amended as follows:—

(1) In rule 8(1) for the words "Judge in" there shall be substituted the words "Divisional Court of".

(2) In rules 9 and 10 for the word "Judge" wherever it occurs there shall be substituted the word "Court".

(3) In rule 14 the following paragraph shall be inserted immediately after paragraph (8):—

"(9) In its application to a criminal cause or matter this rule shall apply subject to the following modifications:—

(*a*) an application for leave may only be refused by a Divisional Court;

(*b*) the Judge to whom an application for leave is submitted may, at any stage, reserve such application for hearing and determination by a Divisional Court; and

(*c*) the reference to a Judge in paragraph (5) shall be deemed to be a reference to a Divisional Court."

(4) For paragraph (1) of rule 33 the following paragraph shall be substituted:—

"(1) Where leave has been granted to apply for an order of certiorari, mandamus or prohibition, the application shall be made by motion:—

(*a*) in a civil cause or matter to a Judge in the Queen's Bench Division; and

(*b*) in a criminal cause or matter to a Divisional Court of the Queen's Bench Division;

and there shall, unless the Judge or the Court granting leave has otherwise directed, be at least eight clear days between the service of the notice of motion and the day named therein for the hearing."

(5) Immediately after paragraph (6) of rule 33 the following paragraph shall be inserted:—

(a) 10 & 11 Eliz. 2. c. 30. (b) S.R. & O. 1936 (No. 70) II, p. 2559.

"(7) In a civil cause or matter, the Court of Appeal may hear and determine an application for an order under this rule, where the Court has granted leave under rule 14 on an appeal from the refusal of such leave by a Judge."

(6) In rules 14(7) and (8), 15, 33(6), 34(2), 35 and 36(1) the words "or the Court" shall be inserted immediately after the word "Judge" wherever it occurs.

2. These rules may be cited as the Rules of the Supreme Court (Northern Ireland) (No. 2) 1966 and shall come into force on the 1st day of March, 1966.

Dated 17th February, 1966.

Signed *MacDermott*
L. E. Curran
Robert Lowry
Leonard I. G. Fox
James J. Napier

EXPLANATORY NOTE

(This note is not part of the rules, but is intended to indicate their general purport.)

These rules amend Order LXXXIV and provide that in a criminal cause or matter an application for an order of mandamus, prohibition or certiorari shall be made to a Divisional Court instead of to a single Judge. A new paragraph (7) to rule 33 deals with the right of the Court of Appeal, in a civil cause or matter, to hear and determine an application for an order under rule 33 where the Court has granted leave under rule 14 on an appeal from the refusal of such leave by a Judge.

1966. No. 36 **[C]**

ROAD TRAFFIC

Speed Limits

ORDER, DATED 18TH FEBRUARY, 1966, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 23(4) OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955.

The Ministry of Home Affairs in exercise of the powers conferred on it by section 23(4) of the Road Traffic Act (Northern Ireland) 1955(a) (hereinafter referred to as "the Act"), and of all other powers enabling it in that behalf, hereby orders and directs as follows:—

Citation and Commencement

1. This Order may be cited as the Roads (Speed Limit) Order (Northern Ireland) 1966 and shall come into operation on 7th March, 1966.

Speed Restrictions on Certain Roads

2. Each of the lengths of road specified in the Schedule shall be a restricted road for the purposes of section 23 of the Act.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 18th day of February, 1966, in the presence of

(L.S.) *J. W. E. Cathcart,*
Assistant Secretary.

SCHEDULE

1. The Portadown-Dungannon Road, Trunk Road T.3, Portadown, Co. Armagh, from a point approximately 17 yards south-east of the junction with Ballyoran Hill, unclassified, to a point approximately 550 yards north-west of this junction.

2. The Portadown-Moy Road, Class II, No. B.28, Co. Armagh, from the junction with the Portadown-Dungannon Road, Trunk Road T.3, to a point approximately 200 yards west of this junction.

EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purport.)

This Order has the effect of extending the 30 m.p.h. zone at Portadown, Co. Armagh, to cover Selshion Cross Roads, which will be extensively used by motorway-construction traffic during the next few years.

(a) 1955. c. 27.