

1989 No. 479

**MAGISTRATES' COURTS**

**Magistrates' Courts (Amendment No. 2) Rules  
(Northern Ireland) 1989**

*Made* . . . . . 8th December 1989

*Coming into operation* . . . . . 1st January 1990

The Lord Chancellor, in exercise of the powers conferred on him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(a), on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following Rules:—

*Citation and commencement*

1. These Rules may be cited as the Magistrates' Courts (Amendment No. 2) Rules (Northern Ireland) 1989 and shall come into operation on 1st January 1990.

*Amendment of principal rules*

2. Schedule 1 to the Magistrates' Courts Rules (Northern Ireland) 1984(b) shall be amended by inserting, after Form 120, the Form set out in the Schedule to these Rules.

Dated 8th December 1989

*Mackay of Clashfern, C.*

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(a) S.I. 1981/1675 (N.I. 26)

(b) S.R. 1984 No. 225 to which there are amendments not relevant to these Rules

FORM 121

MAGISTRATES' COURTS (NORTHERN IRELAND) ORDER 1981

(Rule 14)

POLICE AND CRIMINAL EVIDENCE (NORTHERN IRELAND) ORDER 1989

(Articles 44 and 45)

**Warrant of Further Detention**

[Title as in Form 1]

*Case Details*

Person to whom warrant applies:

Address:

Offence for which under arrest:

Starting time of detention: *(here specify the relevant time as defined in Article 42 of the Police and Criminal Evidence (Northern Ireland) Order 1989)*

WHEREAS a complaint has been made in writing and substantiated on oath and the court is satisfied that there are reasonable grounds for believing that the further detention of the person named above and brought before the court today is justified having regard to Article 44(4) of the Police and Criminal Evidence (Northern Ireland) Order 1989, authorisation is hereby given to the Royal Ulster Constabulary to keep the person named above in police detention for [ ]<sup>1</sup> hours from the time of issue of this warrant.

Date and time of issue of this warrant:

To: *(insert name of complainant)*

Signed .....

Resident Magistrate or  
Justice of the Peace

**Endorsement of Extension**

WHEREAS a complaint has been made in writing and substantiated on oath and the court, being satisfied that there are reasonable grounds for believing that the further detention of the person named above is justified, having regard to Article 44(4) of the Police and Criminal Evidence (Northern Ireland) Order 1989, in exercise of its powers under Article 45 of that Order, hereby extends this warrant for [ ]<sup>2</sup> hours from the expiry of the period authorised above.

Date and time of authorisation of this extension:

To: *(insert name of complainant)*

Signed .....

Resident Magistrate or  
Justice of the Peace

**Endorsement of Further Extension**

WHEREAS a complaint has been made in writing and substantiated on oath and the court, being satisfied that there are reasonable grounds for believing that the further detention of the person named above is justified having regard to Article 44(4) of the Police and Criminal Evidence (Northern Ireland) Order 1989, in exercise of its powers under Article 45 of that Order, hereby further extends this warrant for [ ]<sup>2</sup> hours from the expiry of the extended period authorised above by this warrant.

Date and time of authorisation of this further extension:

To: *(insert name of complainant)*

Signed .....

Resident Magistrate or  
Justice of the Peace

*Notes*

1. The period of further detention to be specified is such period as the court thinks fit having regard to the evidence before it but not longer than 36 hours [Article 44(11) and (12)].
2. The period of extension or further extension to be specified is such period as the court thinks fit having regard to the evidence before it but the period shall be not longer than 36 hours *and* shall not end later than 96 hours after the relevant time, as defined in Article 42 [Article 45(2) and (3)].

## EXPLANATORY NOTE

*(This note is not part of the Rules.)*

These Rules insert a new form in Schedule 1 to the Magistrates' Courts Rules (Northern Ireland) 1984 to provide for the form of warrant of further detention under Article 44 of the Police and Criminal Evidence (Northern Ireland) Order 1989 [S.I. 1989/1341 (N.I. 12)], and for extensions of such warrants under Article 45 of that Order.