Sealed with the Common Seal of the Northern Ireland Hospitals Authority this twenty-ninth day of April, One thousand nine hundred and sixty-three.

(L.S.) *(Sgd.) Wm. McKinney*
(Sgd.) Marcia H. Mackie Members of the Authority
(Sgd.) E. H. Jones Secretary of the Authority

1963. No. 114 [C]

COUNTY COURTS

Arbitration and Assessors

RULES, DATED 4TH JUNE, 1963, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND) 1959.

I, the Right Honourable William Craig, Minister of Home Affairs, by virtue of the power vested in me by Section 146 of the County Courts Act (Northern Ireland) 1959(a) (hereinafter referred to as "the Act") on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice do hereby make the following Rules:—

Citation

1. These Rules may be cited as the County Court (Arbitration and Assessors) Rules (Northern Ireland) 1963.

Rules under certain provisions of the Act

2. The Rules set forth in the Schedule shall be Rules to be in force in proceedings in the County Courts under the provisions of the Act respectively specified in the said Schedule.

Dated this 4th day of June, 1963.

Wm. Craig,
Minister of Home Affairs.

SCHEDULE

1. ARBITRATION

RULES UNDER SECTION 60 OF THE ACT

Lodgment of order and fixing date for hearing

1. Where proceedings are, in accordance with section 60 of the Act, ordered to be referred to arbitration, the clerk of the Crown and peace shall cause the order to be forthwith lodged with the arbitrator thereby appointed who shall within fourteen days thereafter fix the date of the hearing after consultation with the parties or their solicitors.

(a) 1959, c. 25.

Conduct of reference

2. Every such reference shall be conducted as nearly as may be in the same manner and in accordance with the same rules and practice as a hearing by a judge.

Copies of deeds or documents

3. Where original deeds or documents are available, copies shall be brought in only by special direction of the arbitrator.

Place for hearing

4. The arbitrator may hold the hearing at or adjourn it to any place which he may deem most convenient and may have any inspection or view which he may deem expedient for the better disposal of the matter before him.

Powers of judge

5. The arbitrator to whom any cause or matter or any question or issue of fact arising therein has been referred may by his report submit any question arising out of the reference for the decision of the judge or state any facts specially with power to the judge to draw inferences therefrom, and in any such case such order shall be made on such submission or statement as the judge may direct; and the judge shall have power to require any explanations or reasons from the arbitrator, and to remit the cause or matter or any part thereof for further consideration to the same or to any other arbitrator; or the judge may decide the question referred to any arbitrator on the evidence taken at the hearing under such reference either with or without additional evidence as the judge may direct.

Expenses of witnesses

6. The expenses of witnesses shall be measured by the arbitrator as nearly as possible in accordance with the scales prevailing in the court from which the arbitration is referred and such expenses shall be set forth in the award and shall be subject to review by the judge.

2. ASSESSORS

Rules under Section 62 of the Act

Application for an assessor

1. A party who desires a person of skill and experience in the matter to which the proceedings relate to be appointed as an assessor to assist the judge shall, before the beginning of a period of eleven days ending on the day fixed for the hearing and on notice to the other party, file in the office of the clerk of the Crown and peace an application together with the amount of the assessor's fee and thereupon the clerk of the Crown and peace shall send a copy of the application to the judge.

Appointment of assessor

2.—(1) Before giving his decision on the application, the judge may hear both parties.

(2) If the judge grants the application, the clerk of the Crown and peace shall give notice to the parties and shall appoint such person who is willing to act as may be agreed upon by the parties or in default of agreement as may be specified by the judge.

Refusal of application

3. If the application is refused, the clerk of the Crown and peace shall so inform the parties.

Absence of assessor

4. If at the time and place appointed for the hearing the assessor appointed does not attend, the judge may hear the action or matter without his assistance.

Remuneration

5. Every assessor shall, unless the judge in the circumstances of any particular case otherwise orders, receive for each day's attendance a fee according to the following scale, together with such sum for his expenses as the judge or clerk of the Crown and peace shall order:—

Where the amount claimed—	*Amount of fee* £ s. d.
Does not exceed £20	2 2 0
Exceeds £20 and does not exceed £50	4 4 0
Exceeds £50 and does not exceed £100	6 6 0
Exceeds £100	8 8 0

Fees for adjourned hearing

6. Where a hearing at which an assessor is in attendance is adjourned, the party who applied for the appointment of an assessor shall forthwith upon the order of adjournment being made deposit in the office of the clerk of the Crown and peace the assessor's fee for the day to which the hearing is adjourned.

Costs

7. Any sums paid in respect of assessor's fees shall be costs in the proceedings, unless the judge otherwise orders.

Pilotage Act 1913

8. These Rules shall not apply to an appeal under section 28 of the Pilotage Act 1913(a).

1963. No. 115 **[NC]**

ULSTER TRANSPORT AUTHORITY

Abandonment of Railway Line

AN ORDER FOR ABANDONMENT, DATED THE 4TH DAY OF JUNE 1963, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 58 OF THE TRANSPORT ACT (NORTHERN IRELAND) 1948(b), AS AMENDED BY SECTION 28 OF THE TRANSPORT ACT (NORTHERN IRELAND) 1958(c).

(a) 2 & 3 Geo. 5. c. 31.
(b) 1948. c. 16.
(c) 1958. c. 15.