1963. No. 101 [C]

AGRICULTURE

Cattle—Breeding Herds

ORDER, DATED 10TH MAY, 1963, MADE BY THE MINISTER OF AGRICULTURE, WITH THE APPROVAL OF THE MINISTER OF FINANCE, UNDER ARTICLE 4(2)(*b*) OF THE CATTLE (BREEDING HERDS) SCHEME (NORTHERN IRELAND) 1962.

This Order, which fixes the rate of subsidy payment for 1963 in respect of breeding herds, being of temporary effect is not printed at length in this volume.

1963. No. 102 [C]

AGRICULTURE

Silage Payments

SCHEME, DATED 10TH MAY 1963, MADE BY THE MINISTER OF AGRICULTURE UNDER SECTION 1 OF THE AGRICULTURE (TEMPORARY ASSISTANCE) ACT (NORTHERN IRELAND) 1954, AS AMENDED BY THE AGRICULTURE (TEMPORARY ASSISTANCE) (AMENDMENT) ACT (NORTHERN IRELAND) 1957.

This Scheme, which provides for the payment of grants to encourage the making of silage during the period 1st January to 31st December 1963, being of temporary effect is not printed at length in this volume.

1963. No. 103

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.

1963. No. 104 [C]

COUNTY COURTS

Licensing Rules

RULES, DATED 14TH MAY 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), on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice do hereby make the following Rules with respect to applications to the County Courts under the Licensing Act (Northern Ireland) 1963(b):—

Citation

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

Interpretation

2. In these Rules the expression—

"the Act" means the Licensing Act (Northern Ireland) 1963;

"district inspector" means a district inspector of the Royal Ulster Constabulary;

and a reference to a form by number is a reference to the form so numbered in the First Schedule.

Notices

3.—(1) Notice of an application to the court under the Act shall be given not less than twenty-one days before the opening of the sittings for the division in which the application is to be made.

(2) Any notice required or authorised by these Rules to be given—

(*a*) to a clerk of the Crown and peace or a district inspector may be served by being left at the office of the clerk of the Crown and peace or district inspector;

(*b*) to any other person may—

(i) where that person is represented by a solicitor, be served by being left at the office of that solicitor;

(ii) where that person is not so represented, be served on him personally;

(*c*) to any person may be served by registered post or by means of the recorded delivery service.

Proceedings under section 1 of the Act

4.—(1) The notice of application required by section 1(3) shall be in Form 1 and shall be given to—

(*a*) the district inspector for the district in which the old premises are situate and, if the new premises are situate in another district, the district inspector for that other district;

(*b*) the clerk of the Crown and peace for the division in which the new premises are situate.

(2) A person qualified under section 1(3) and desiring to oppose an application shall not less than seven days before the opening day of the county court sittings give the applicant written notice in Form 2 of his intention so to do and of the grounds on which he intends to rely and shall serve a copy of that notice on the clerk of the Crown and peace and any district inspector referred to in the notice published in the *Belfast Gazette*.

(3) A certificate under section 1 shall be in Form 3.

(a) 1959. c. 25. (b) 1963. c. 8 (N.I.).

Proceedings under section 8 of the Act

5.—(1) The notice of application required by section 8(3) shall be in Form 4 and shall be given to—

(*a*) the district inspector for each district wholly or partly within the re-development area concerned;

(*b*) the clerk of the Crown and peace for the division in which the application is to be made.

(2) A person qualified under section 8(3) and desiring to appear and be heard on an application shall not less than seven days before the opening day of the county court sittings give the local authority written notice in Form 5 of his intention so to do, setting out particulars of any matter or circumstances which he intends to bring before the court and shall serve a copy of that notice on any clerk of the Crown and peace and any district inspector referred to in the notice published in the *Belfast Gazette*.

(3) A declaration under section 8 shall be in Form 6.

Proceedings under section 13 of the Act

6.—(1) The notice of application required by section 13(3) shall be in Form 7 and shall be given to—

(*a*) the district inspector for the district in which the site concerned is situate;

(*b*) the clerk of the Crown and peace for the division in which the site concerned is situate.

(2) A person qualified under section 13(3) and desiring to oppose an application shall not less than seven days before the opening day of the county court sittings give the applicant written notice in Form 8 of his intention so to do and of the grounds on which he intends to rely and shall serve a copy of that notice on the clerk of the Crown and peace and the district inspector referred to in the notice published in the *Belfast Gazette*.

(3) A certificate under section 13 shall be in Form 9.

Court Fees

7. The court fees specified in the Second Schedule shall be payable in respect of the proceedings therein respectively specified.

Dated this 14th day of May 1963.

Wm. Craig,
Minister of Home Affairs.

The Ministry of Finance hereby consents to the scale of court fees in the Second Schedule.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 14th day of May 1963.

(L.S.)

W. W. Arthur,
Assistant Secretary.

FIRST SCHEDULE

FORM 1

LICENSING ACT (NORTHERN IRELAND) 1963 S. 1(3)

Notice of Application for Certificate

IN THE COUNTY COURT FOR THE

DIVISION OF

TAKE NOTICE that I [*full names of applicant*] of [*address of old premises*] intend to apply under Section 1 of the Licensing Act (Northern Ireland) 1963 to the County Court sitting at [*place*] for the above Division commencing on the [*date*] for a certificate authorising the removal of the licence for the sale of intoxicating liquor now held by me in respect of the premises above designated to new premises situate at [*full address of proposed new premises*].

Dated this day of 19 .

Signature of Applicant
or his Solicitor

To the District Inspector of the Royal Ulster Constabulary for the district of [*where the old premises are situate*].

[*And if the new premises are situate in a different district*]

To the District Inspector of the Royal Ulster Constabulary for the district of [*where the new premises are situate*].

To the Clerk of the Crown and Peace for the Division of [*in which the new premises are situate*].

FORM 2

LICENSING ACT (NORTHERN IRELAND) 1963 S. 1(3)

Notice of opposition to issue of Certificate

IN THE COUNTY COURT FOR THE
DIVISION OF

TAKE NOTICE that on the hearing of the application of [*full names of applicant*] for the issue of a certificate under Section 1 of the Licensing Act (Northern Ireland) 1963 in respect of the premises [*full address of new premises*] I [*full names*] of [*full address*] being an officer of the Royal Ulster Constabulary for [*area*]/a person residing/carrying on business/in premises in the vicinity of those premises intend to appear and oppose the application on the following grounds:—

Dated this day of 19 .

Signature of Objector
or his Solicitor

To the applicant

To the Clerk of the Crown and Peace

To the District Inspector

FORM 3

LICENSING ACT (NORTHERN IRELAND) 1963 S. 1(1), (4)

Certificate for removal of Licence

IN THE COUNTY COURT FOR THE

DIVISION OF

IT IS HEREBY CERTIFIED that [*full names of applicant*] being the holder of a licence for the sale of intoxicating liquor in respect of the premises [*address of old premises*] has on application made under Section 1 of the Licensing Act (Northern Ireland) 1963 satisfied the Court that that licence may properly be removed to the premises [*address of new premises*], [*if premises not yet ready, add* when completed in accordance with plans submitted to and this day approved by this Court] and that such removal is authorised accordingly.

Dated this day of 19 .

.....
Clerk of the Crown and Peace

FORM 4

LICENSING ACT (NORTHERN IRELAND) 1963 S. 8(3)

Notice of Application for Declaration

IN THE COUNTY COURT FOR THE

DIVISION OF

WHEREAS the [*full title and address of principal office of local authority*] having under Section 9 of the Housing (Miscellaneous Provisions) and Rent Restriction Law (Amendment) Act (Northern Ireland) 1956 submitted to the Ministry of Health and Local Government a re-development scheme in respect of the area described in the Schedule hereto, has under Section 7 of the Licensing Act (Northern Ireland) 1963 submitted to that Ministry proposals respecting the number and situation of sites in that area suitable for premises to be licensed for the sale of intoxicating liquor

AND WHEREAS the said Ministry has approved those proposals with/without modification and has approved [*number*] sites in the said area

TAKE NOTICE that the said local authority intends to apply under Section 8 of the Licensing Act (Northern Ireland) 1963 to the County Court sitting at [*place*] for the above Division commencing on the [*date*] for a declaration in the terms of Section 8(1).

Signed and sealed on behalf of the applicant:

(L.S.)

Dated this day of 19 .

.....Chairman

.....Clerk

SCHEDULE

(*Description of Re-development Area and situation of approved sites*)

To the District Inspector of the Royal Ulster Constabulary for each district

To the Clerk of the Crown and Peace for the Division

FORM 5

LICENSING ACT (NORTHERN IRELAND) 1963 S. 8(3)

Notice of intended appearance on application of local authority under S. 8(1) of the Act

IN THE COUNTY COURT FOR THE
DIVISION OF

TAKE NOTICE that on the hearing of the application of [*full title of local authority*] under Section 8 of the Licensing Act (Northern Ireland) 1963 pursuant to notice dated I [*full names*] of [*full address*] being an officer of the Royal Ulster Constabulary for [*area*]/a person residing/carrying on business/in premises in the vicinity of a site mentioned in the schedule to that notice, intend to appear and to bring before the Court the matters/circumstances particularly set out hereunder:—

Dated this day of 19 .

Signature of person intending to appear, or his Solicitor

To the Local Authority
To each Clerk of the Crown and Peace
To each District Inspector

FORM 6

LICENSING ACT (NORTHERN IRELAND) 1963 S. 8(1)

Declaration as to Sites in Re-development Area

IN THE COUNTY COURT FOR THE
DIVISION OF

UPON AN APPLICATION made the [*date*] by the [*name of local authority*] pursuant to Section 8 of the Licensing Act (Northern Ireland) 1963

AND UPON READING the notice of application

AND UPON HEARING

THE COURT DOTH DECLARE that, subject to and in accordance with Section 13 of that Act, the Court will issue certificates authorising the grant of new licences for the sale of intoxicating liquor respectively specified in the First Schedule hereto in respect of premises erected or to be erected on the several sites so specified being sites situate in the re-development area described in the Second Schedule hereto and approved by the Ministry of Health and Local Government under Section 7 of the said Act.

By the Court.

(SEAL)

Dated this day of 19 .

.....
Clerk of the Crown and Peace

FIRST SCHEDULE

Description of site	*Description of licence which may be issued in respect of premises erected or to be erected on site*
1.	1.
2.	2.
3.	3.
4.	4.

SECOND SCHEDULE

(*Description of Re-development Area*)

FORM 7

LICENSING ACT (NORTHERN IRELAND) 1963 S. 13

Notice of Application for Certificate

IN THE COUNTY COURT FOR THE

DIVISION OF

TAKE NOTICE that I [*full names of applicant*] of [*full address*] having acquired a site situate at [*full address*], being a site specified in a subsisting declaration issued by the County Court for the Division of on the [*date*] under Section 8 of the Licensing Act (Northern Ireland) 1963 intend to apply under Section 13 of that Act to the County Court sitting at [*place*] for the above Division commencing on the [*date*] for a certificate authorising the grant to me in accordance with that declaration of a new [*description of licence*] licence for the sale of intoxicating liquor in premises on that site.

Dated this day of 19 .

Signature of Applicant
or his Solicitor

To the District Inspector of the Royal Ulster Constabulary for the district of

To the Clerk of the Crown and Peace for the Division

FORM 8

LICENSING ACT (NORTHERN IRELAND) 1963 S. 13(3)

Notice of opposition to issue of Certificate

IN THE COUNTY COURT FOR THE

DIVISION OF

TAKE NOTICE that on the hearing of the application of [*full names of applicant*] of [*address of applicant*] for the issue of a certificate under Section 13 of the Licensing Act (Northern Ireland) 1963 in respect of premises [*to be*] situate on the site specified in the notice of that application I [*full names*] of [*full address*] being an officer of the Royal Ulster Constabulary for [*area*]/a person residing/carrying on business/in premises in the vicinity of that site intend to appear and oppose the application on the following grounds (being grounds on which by Section 13(6) of the said Act such an application may be refused):—

Dated this day of 19 .

Signature of Objector
or his Solicitor

To the applicant

To the Clerk of the Crown and Peace

To the District Inspector

FORM 9

LICENSING ACT (NORTHERN IRELAND) 1963 S. 13(1), (4)

Certificate for granting new Licence

IN THE COUNTY COURT FOR THE

DIVISION OF

WHEREAS [*full names and address of applicant*] having acquired a site situate at [*full address*] (being a site specified in a subsisting declaration issued by the County Court for the Division of on the [*date*] under Section 8 of the Licensing Act (Northern Ireland) 1963) has applied for a certificate under Section 13 of that Act

IT IS HEREBY CERTIFIED that a new [*description of licence*] licence for the sale of intoxicating liquor in premises on that site (*or* in premises when completed on that site in accordance with plans submitted to and this day approved by this Court) may properly be granted in accordance with that declaration, and that such grant is authorised accordingly.

Dated this day of 19 .

.....
Clerk of the Crown and Peace

SECOND SCHEDULE

Court Fees

Proceeding	*Court fee payable*
	£ s. d.
Notice of application	1 0 0
Certificate by the Court under Section 1 or Section 13 of the Act	0 10 0
Declaration by the Court under Section 8 of the Act	2 0 0